

# **JOURNAL**

**OF**

## **THE SENATE**

**OF**

**THE UNITED STATES OF AMERICA;**

**BEING THE FIRST SESSION OF THE SEVENTH CONGRESS:**

**BEGUN AND HELD**

**AT THE CITY OF WASHINGTON,**

**DECEMBER 7, 1801,**

**AND IN THE TWENTY-SIXTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.**

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**WASHINGTON :**

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**1821.**

# CONGRESS OF THE UNITED STATES.

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**THE** First Session of the Seventh Congress, conformably to the constitution of government of the United States, commenced this day; and the Senate assembled at the City of Washington.

MONDAY, DECEMBER 7, 1801.

## PRESENT:

|                                 |               |                                |
|---------------------------------|---------------|--------------------------------|
| From the State of Rhode Island, | the Honorable | Theodore Foster.               |
| Vermont,                        | the Honorable | Nathaniel Chipman.             |
| Delaware,                       | the Honorable | { William Hill Wells, and      |
|                                 |               | Samuel White.                  |
| Maryland,                       | the Honorable | John E. Howard.                |
| Virginia,                       | the Honorable | { Stephens Thompson Mason, and |
|                                 |               | Wilson Cary Nicholas.          |
| Georgia,                        | the Honorable | Abraham Baldwin.               |
| Tennessee,                      | the Honorable | { Joseph Anderson, and         |
|                                 |               | William Cocke.                 |

The Honorable Stephen R. Bradley, appointed a Senator by the state of Vermont, for the remainder of the term for which their late Senator, Elijah Paine, was appointed; the Honorable John Breckinridge, appointed a Senator by the state of Kentucky; the Honorable Christopher Ellery, appointed a Senator by the state of Rhode Island, for the remainder of the term for which their late Senator, Ray Greene, was appointed; the Honorable James Jackson, appointed a Senator by the state of Georgia; the Honorable George Logan, appointed a Senator by the Executive of the state of Pennsylvania, in the place of their late Senator, Peter Muhlenberg, resigned; the Honorable Simeon Olcott, appointed a Senator by the state of New Hampshire, for the remainder of the term for which their late Senator, Samuel Livermore, was appointed; the Honorable Uriah Tracy, appointed a Senator by the state of Connecticut; and the Honorable Robert Wright, appointed a Senator by the state of Maryland, severally produced their credentials, and took their seats in the Senate.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides; and the Honorable Abraham Baldwin was chosen.

The President administered the oath, as the law prescribes, to Mr. Bradley, Mr. Breckinridge, Mr. Ellery, Mr. Jackson, Mr. Olcott, Mr. Tracy, and Mr. Wright, and the affirmation to Mr. Logan.

On motion,

*Ordered*, That the Secretary wait on the President of the United States and acquaint him that a quorum of the Senate is assembled, and that, in the absence of the Vice President, they have elected the Honorable Abraham Baldwin President of the Senate pro tempore.



*Ordered*, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled and ready to proceed to business, and that, in the absence of the Vice President, they have elected the Honorable Abraham Baldwin President of the Senate pro tempore.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: A quorum of the House of Representatives is assembled, and have elected the Honorable Nathaniel Macon their speaker, and are ready to proceed to business. And he withdrew.

On motion,

*Ordered*, That Messrs. Anderson and Jackson be a committee on the part of the Senate, together with such committee as the House of Representatives may appoint on their part, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled, and ready to receive any communications that he may be pleased to make to them.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the resolution of the Senate for the appointment of a joint committee to wait on the President of the United States, and have appointed a committee on their part. And he withdrew.

On motion,

*Resolved*, That a committee be appointed to join such gentlemen as shall be appointed by the House of Representatives, to take into consideration a statement made this day by the Secretary of the Senate, respecting books and maps purchased in consequence of an act of Congress, passed 24th April, 1800, and to make report of their opinion respecting the future arrangement of said books and maps; and that Messrs. Tracy and Nicholas be the committee on the part of the Senate.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this resolution.

Mr. Anderson reported, from the joint committee, that they had waited on the President of the United States and acquainted him that a quorum of the two houses is assembled, and that the President of the United States informed the committee that he would make a communication to them by message to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, DECEMBER 8, 1801.

The Honorable Jonathan Dayton and the Honorable Aaron Ogden, from the state of New Jersey, and the Honorable Jesse Franklin, from the state of North Carolina, severally attended.

On motion,

*Resolved*, That two chaplains, of different denominations, be appointed to Congress for the present session, one by each house, who shall interchange weekly.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this resolution.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution of the Senate for the appointment of a joint committee respecting the books and maps purchased in pursuance of an act of Congress, of 24th of April, 1800, and have appointed a committee on their part. They agree to the resolution of the Senate for the appointment of two chaplains during the present session. And he withdrew.

On motion,

*Resolved*, That each Senator be supplied, during the present session, with three such newspapers, printed in any of the states, as he may choose, provided that the same be furnished at the rate usual for the annual charge of such papers.

The following letter and message were received from the President of the United States, by Mr. Lewis, his Secretary:

December 8, 1801.

SIR: The circumstances under which we find ourselves at this place rendering inconvenient the mode heretofore practised, of making by personal address the first communications between the legislative and executive branches, I have adopted that by message, as used on all subsequent occasions through the session. In doing this I have had principal regard to the convenience of the legislature, to the economy of their time, to their relief from the embarrassment of immediate answers, on subjects not yet fully before them, and to the benefits thence resulting to the public affairs.



Trusting that a procedure founded in these motives will meet their approbation, I beg leave, through you, sir, to communicate the inclosed message, with the documents accompanying it, to the Honorable the Senate, and pray you to accept, for yourself and them, the homage of my high respect and consideration.

TH. JEFFERSON.

The Hon. the PRESIDENT OF THE SENATE.

*Fellow-citizens of the Senate and House of Representatives:*

It is a circumstance of sincere gratification to me that, on meeting the great council of our nation, I am able to announce to them, on grounds of reasonable certainty, that the wars and troubles which have for so many years afflicted our sister nations, have at length come to an end; and that the communications of peace and commerce are once more opening among them. Whilst we devoutly return thanks to the beneficent Being who has been pleased to breathe into them the spirit of conciliation and forgiveness, we are bound, with peculiar gratitude, to be thankful to him that our own peace has been preserved through so perilous a season, and ourselves permitted quietly to cultivate the earth, and to practise and improve those arts which tend to increase our comforts. The assurances, indeed, of friendly disposition, received from all the powers with whom we have principal relations, had inspired a confidence that our peace with them would not have been disturbed. But a cessation of irregularities which had affected the commerce of neutral nations, and of the irritations and injuries produced by them, cannot but add to this confidence, and strengthens, at the same time, the hope that wrongs committed on unoffending friends, under a pressure of circumstances, will now be reviewed with candor, and will be considered as founding just claims of retribution for the past, and new assurance for the future.

Among our Indian neighbors, also, a spirit of peace and friendship generally prevails; and I am happy to inform you that the continued efforts to introduce among them the implements and the practice of husbandry, and of the household arts, have not been without success; that they are becoming more and more sensible of the superiority of this dependance for clothing and subsistence, over the precarious resources of hunting and fishing: and already we are able to announce that, instead of that constant diminution of their numbers, produced by their wars and their wants, some of them begin to experience an increase of population.

To this state of general peace with which we have been blessed, one only exception exists. Tripoli, the least considerable of the Barbary states, had come forward with demands unfounded either in right or in compact, and had permitted itself to denounce war, on our failure to comply before a given day. The style of the demand admitted but one answer. I sent a small squadron of frigates into the Mediterranean, with assurances to that power of our sincere desire to remain in peace; but with orders to protect our commerce against the threatened attack. The measure was seasonable and salutary. The Bey had already declared war. His cruisers were out. Two had arrived at Gibraltar. Our commerce in the Mediterranean was blockaded, and that of the Atlantic in peril. The arrival of our squadron dispelled the danger. One of the Tripolitan cruizers, having fallen in with and engaged the small schooner *Enterprize*, commanded by Lieutenant Sterret, which had gone as a tender to our larger vessels, was captured, after a heavy slaughter of her men, without the loss of a single one on our part. The bravery exhibited by our citizens on that element will, I trust, be a testimony to the world that it is not the want of that virtue which makes us seek their peace, but a conscientious desire to direct the energies of our nation to the multiplication of the human race, and not to its destruction. Unauthorized by the constitution, without the sanction of Congress, to go beyond the line of defence, the vessel, being disabled from committing further hostilities, was liberated with its crew. The legislature will doubtless consider whether, by authorizing measures of offence also, they will place our force on an equal footing with that of its adversaries. I communicate all material information on this subject, that, in the exercise of this important function confided by the constitution to the legislature exclusively, their judgment may form itself on a knowledge and consideration of every circumstance of weight.

I wish I could say that our situation with all the other Barbary states was entirely satisfactory. Discovering that some delays had taken place in the performance of certain articles stipulated by us, I thought it my duty, by immediate measures for fulfilling them, to vindicate to ourselves the right of considering the effect of departure from stipulation on their side. From the papers which will be laid before you, you will be enabled to judge whether our treaties are regarded by them as fixing at all the measure of their demands, or, as guarding from the exercise of force our vessels within



their power; and to consider how far it will be safe and expedient to leave our affairs with them in their present posture.

I lay before you the result of the census lately taken of our inhabitants, to a conformity with which we are now to reduce the ensuing ratio of representation and taxation. You will perceive that the increase of numbers, during the last ten years, proceeding in geometrical ratio, promises a duplication in little more than twenty-two years. We contemplate this rapid growth, and the prospect it holds up to us, not with a view to the injuries it may enable us to do to others in some future day, but to the settlement of the extensive country still remaining vacant within our limits, to the multiplication of men susceptible of happiness, educated in the love of order, habituated to self government, and valuing its blessings above all price.

Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption, in a ratio far beyond that of population alone; and, though the changes in foreign relations now taking place so desirably for the whole world, may for a season affect this branch of revenue, yet, weighing all probabilities of expense, as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes—comprehending excise, stamps, auctions, licenses, carriages, and refined sugars; to which the postage on newspapers may be added to facilitate the progress of information; and that the remaining sources of revenue will be sufficient to provide for the support of government, to pay the interest of the public debts, and to discharge the principals within shorter periods than the laws or the general expectation had contemplated. War, indeed, and untoward events, may change this prospect of things, and call for expenses which the imposts could not meet. But sound principles will not justify our taxing the industry of our fellow-citizens to accumulate treasure for wars to happen we know not when, and which might not, perhaps, happen, but from the temptations offered by that treasure.

These views, however, of reducing our burthens, are formed on the expectation that a sensible, and at the same time a salutary, reduction may take place in our habitual expenditures. For this purpose those of the civil government, the army, and navy, will need revisal. When we consider that this government is charged with the external and mutual relations only of these states; that the states themselves have principal care of our persons, our property, and our reputation, constituting the great field of human concerns, we may well doubt whether our organization is not too complicated, too expensive; whether offices and officers have not been multiplied unnecessarily, and sometimes injuriously to the service they were meant to promote. I will cause to be laid before you an essay towards a statement of those who, under public employment of various kinds, draw money from the Treasury, or from our citizens. Time has not permitted a perfect enumeration, the ramifications of office being too multiplied and remote to be completely traced in a first trial. Among those who are dependant on executive discretion, I have begun the reduction of what was deemed unnecessary. The expenses of diplomatic agency have been considerably diminished. The inspectors of internal revenue, who were found to obstruct the accountability of the institution, have been discontinued. Several agencies, created by Executive authority, on salaries fixed by that also, have been suppressed, and should suggest the expediency of regulating that power by law, so as to subject its exercises to legislative inspection and sanction. Other reformatations of the same kind will be pursued with that caution which is requisite, in removing useless things, not to injure what is retained. But the great mass of public offices is established by law, and therefore by law alone can be abolished. Should the legislature think it expedient to pass this roll in review, and try all its parts by the test of public utility, they may be assured of every aid and light which Executive information can yield. Considering the general tendency to multiply offices and dependencies, and to increase expense to the ultimate term of burthen which the citizen can bear, it behoves us to avail ourselves of every occasion which presents itself for taking off the surcharge; that it never may be seen here that, after leaving to labor the smallest portion of its earnings on which it can subsist, government shall itself consume the whole residue of what it was instituted to guard.

In our care too of the public contributions entrusted to our direction, it would be prudent to multiply barriers against their dissipation, by appropriating specific sums to every specific purpose susceptible of definition; by disallowing all applications of money varying from the appropriation in object, or transcending it in amount; by reducing the undefined field of contingencies, and thereby circumscribing discretionary powers over money; and by bringing back to a single department all accountabilities for money, where the examinations may be prompt, efficacious, and uniform.



An account of the receipts and expenditures of the last year, as prepared by the Secretary of the Treasury, will, as usual, be laid before you. The success which has attended the late sales of the public lands shews that, with attention, they may be made an important source of receipt. Among the payments those made in discharge of the principal and interest of the national debt, will shew that the public faith has been exactly maintained. To these will be added an estimate of appropriations necessary for the ensuing year. This last will, of course, be affected by such modifications of the system of expense as you shall think proper to adopt.

A statement has been formed by the Secretary of War, on mature consideration, of all the posts and stations where garrisons will be expedient, and of the number of men requisite for each garrison. The whole amount is considerably short of the present military establishment. For the surplus no particular use can be pointed out. For defence against invasion their number is as nothing; nor is it conceived needful or safe that a standing army should be kept up in time of peace, for that purpose. Uncertain as we must ever be of the particular point in our circumference where an enemy may chuse to invade us, the only force which can be ready at every point, and competent to oppose them, is the body of neighboring citizens, as formed into a militia. On these, collected from the parts most convenient, in numbers proportioned to the invading force, it is best to rely, not only to meet the first attack, but, if it threatens to be permanent, to maintain the defence until regulars may be engaged to relieve them. These considerations render it important that we should, at every session, continue to amend the defects which from time to time shew themselves in the laws for regulating the militia, until they are sufficiently perfect: nor should we now, or at any time, separate, until we can say we have done every thing for the militia which we could do were an enemy at our door.

The provision of military stores on hand will be laid before you, that you may judge of the additions still requisite.

With respect to the extent to which our naval preparations should be carried, some difference of opinion may be expected to appear: but just attention to the circumstances of every part of the union will doubtless reconcile all. A small force will probably continue to be wanted for actual service in the Mediterranean. Whatever annual sum beyond that you may think proper to appropriate to naval preparations, would perhaps be better employed in providing those articles which may be kept without waste or consumption, and be in readiness when any exigence calls them into use. Progress has been made, as will appear by papers now communicated, in providing materials for seventy-four gun ships as directed by law.

How far the authority given by the legislature for procuring and establishing sites for naval purposes, has been perfectly understood and pursued in the execution, admits of some doubt. A statement of the expenses already incurred on that subject is now laid before you. I have, in certain cases, suspended or slackened these expenditures, that the legislature might determine whether so many yards are necessary as have been contemplated. The works at this place are among those permitted to go on: and five of the seven frigates directed to be laid up, have been brought and laid up here, where, besides the safety of their position, they are under the eye of the executive administration, as well as of its agents; and where yourselves also will be guided by your own view in the legislative provisions respecting them, which may, from time to time, be necessary. They are preserved in such condition, as well the vessels as whatever belongs to them, as to be at all times ready for sea on a short warning. Two others are yet to be laid up so soon as they shall have received the repairs requisite to put them also into sound condition. As a superintending officer will be necessary at each yard, his duties and emoluments, hitherto fixed by the Executive, will be a more proper subject for legislation. A communication will also be made of our progress in the execution of the law respecting the vessels directed to be sold.

The fortifications of our harbors, more or less advanced, present considerations of great difficulty. While some of them are on a scale sufficiently proportioned to the advantages of their position, to the efficacy of their protection, and the importance of the points within it, others are so extensive, will cost so much in their first erection, so much in their maintenance, and require such a force to garrison them, as to make it questionable what is best now to be done. A statement of those commenced or projected; of the expenses already incurred; and estimates of their future cost, as far as can be foreseen, shall be laid before you, that you may be enabled to judge whether any alteration is necessary in the laws respecting this subject.

Agriculture, manufactures, commerce, and navigation, the four pillars of our prosperity, are then most thriving when left most free to individual enterprize. Protection from casual embarrassments, however, may sometimes be seasonably interposed.



If, in the course of your observations or inquiries, they should appear to need any aid within the limits of our constitutional powers, your sense of their importance is a sufficient assurance they will occupy your attention. We cannot, indeed, but all feel an anxious solicitude for the difficulties under which our carrying trade will soon be placed. How far it can be relieved, otherwise than by time, is a subject of important consideration.

The judiciary system of the United States, and especially that portion of it recently erected, will, of course, present itself to the contemplation of Congress; and that they may be able to judge of the proportion which the institution bears to the business it has to perform, I have caused to be procured from the several states, and now lay before Congress, an exact statement of all the causes decided since the first establishment of the courts, and of those which were depending when additional courts and judges were brought in to their aid.

And while on the judiciary organization, it will be worthy your consideration whether the protection of the inestimable institution of juries has been extended to all the cases involving the security of our persons and property. Their impartial selection also being essential to their value, we ought further to consider whether that is sufficiently secured in those states where they are named by a marshal depending on executive will, or designated by the court, or by officers dependent on them.

I cannot omit recommending a revisal of the laws on the subject of naturalization. Considering the ordinary chances of human life, a denial of citizenship under a residence of fourteen years, is a denial to a great proportion of those who ask it; and controls a policy pursued, from their first settlement, by many of these states, and still believed of consequence to their prosperity. And shall we refuse to the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe? The constitution, indeed, has wisely provided that, for admission to certain offices of important trust, a residence shall be required sufficient to develop character and design. But might not the general character and capabilities of a citizen be safely communicated to every one manifesting a bona fide purpose of embarking his life and fortunes permanently with us? with restrictions, perhaps, to guard against the fraudulent usurpation of our flag; an abuse which brings so much embarrassment and loss on the genuine citizen, and so much danger to the nation of being involved in war, that no endeavor should be spared to detect and suppress it.

These, fellow-citizens, are the matters respecting the state of the nation which I have thought of importance to be submitted to your consideration at this time. Some others of less moment, or not yet ready for communication, will be the subject of separate messages. I am happy in this opportunity of committing the arduous affairs of our government to the collected wisdom of the union. Nothing shall be wanting on my part to inform, as far as in my power, the legislative judgment, nor to carry that judgment into faithful execution. The prudence and temperance of your discussions will promote, within your own walls, that conciliation which so much befriends rational conclusion; and by its example will encourage among our constituents that progress of opinion which is tending to unite them in object and in will. That all should be satisfied with any one order of things, is not to be expected; but I indulge the pleasing persuasion that the great body of our citizens will cordially concur in honest and disinterested efforts, which have for their object to preserve the general and state governments in their constitutional form and equilibrium; to maintain peace abroad, and order and obedience to the laws at home; to establish principles and practices of administration favorable to the security of liberty and property, and to reduce expenses to what is necessary for the useful purposes of government.

TH. JEFFERSON.

*December 8, 1801.*

The letter and message were read.

On motion,

*Ordered*, That they be printed for the use of the Senate.

The papers referred to in the message were in part read.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

**WEDNESDAY, DECEMBER 9, 1801.**

The reading of the papers referred to in the message of the President of the United States of the 8th instant, was resumed.

On motion,



*Ordered*, That five hundred copies of the message of the President of the United States of the 8th December, together with the papers therein referred to, be printed for the use of the Senate.

The Senate proceeded to the appointment of a Chaplain to Congress on their part, and the Rev. Mr. Gant was elected.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.  
The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 10, 1801.

On motion,

*Resolved*, That James Mathers, Sergeant-at-Arms and Doorkeeper to the Senate, be, and he is hereby, authorized to employ one additional assistant, and two horses, for the purpose of performing such services as are usually required of the doorkeeper to the Senate; and that the sum of twenty-eight dollars be allowed him weekly for the purpose during the session, and for twenty days after.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have appointed a joint committee on their part for enrolled bills, and desire the appointment of such committee on the part of the Senate. And he withdrew.

On motion,

*Resolved*, That the Senate do concur in the appointment of a joint committee for enrolled bills, and that Mr. Wright be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the concurrence to the House of Representatives.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, DECEMBER 11, 1801.

The Honorable Jonathan Mason, from the state of Massachusetts, and the Honorable James Sheafe, from the state of New Hampshire, severally attended.

The President laid before the Senate a letter from Samuel Meredith, Treasurer, together with his general, navy, and war accounts, ending 31st December, 1800, 31st March, 30th June, and 30th September, 1801; which were read.

*Ordered*, That they lie on file.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, DECEMBER 14, 1801.

The Honorable James Hillhouse, from the state of Connecticut, and the Honorable Dwight Foster, from the state of Massachusetts, severally attended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have elected the Reverend William Parkinson a chaplain to Congress, on their part. And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, DECEMBER 15, 1801.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock to-morrow morning.

#### WEDNESDAY, DECEMBER 16, 1801.

The President laid before the Senate a letter from the Secretary for the Department of State, with an annual return ending the 9th instant, containing an abstract of all the returns made by the collectors of the customs for the different ports, pursuant to the "Act for the relief and protection of American seamen," together with abstracts from the communications received from the agents employed in foreign countries for the relief of American seamen; which were read.

*Ordered*, That they be printed for the use of the Senate.

A motion was made by Mr. Jackson, seconded by Mr. Nicholas, that it be

*RESOLVED*, By the Senate and House of Representatives of the United States, in Congress assembled, That, as a testimony of the high sense they entertain of the nautical



skill and gallant conduct of Lieutenant Andrew Sterret, commander of the United States' schooner *Enterprize*, manifested in an engagement with, and in the capture of, a Tripolitan corsair of superior force, in the Mediterranean sea, fitted out by the Bey of that Regency to harass the trade, capture the vessels, and enslave the citizens of these states: The President of the United States be requested to present Lieutenant Sterret with a sword, with such suitable devices thereon as he shall deem proper, and emblematic of that heroic action; and the mercy extended to a barbarous enemy, who three times struck his colors, and twice recommenced hostilities:—an act of humanity, however unmerited, highly honorable to the American flag and nation: and that the President of the United States be also requested to present Lieutenant Lane of the marines, who was with a detachment of that corps, serving on board the *Enterprize* in that engagement, and contributed, by his and his detachment's gallant conduct, to the success of the day, with a medal, with such suitable devices as the President may deem fit.

*Be it further resolved*, In consideration of the intrepid behaviour of the crew of the *Enterprize*, under the orders of their gallant commander, and their receiving no prize money, the corsair being dismantled and released after her capture, that one month's pay, over and above the usual allowance, be paid to all the other officers, sailors, and marines, who were actually on board and engaged in that action; for the expenditure of which charge Congress will make the necessary appropriation.

And it was agreed that this motion lie for consideration:

Mr. Cocke presented the petition of Daniel Fox, a soldier of the militia, under the command of general Sevier, in the year 1793, rendered incapable of labor by a nervous complaint, contracted in an expedition against the Cherokee Indians; and praying relief. And the petition was read.

On motion,

*Ordered*, That it be referred to Messrs. Cocke, Ellery, and Nicholas, to consider and report thereon.

On motion, it was agreed,

That the message of the President of the United States, of the 8th instant, be made the order of the day for to-morrow, to be considered as in a committee of the whole.

The President laid before the Senate a letter from Simon Willard to the Secretary of the Senate, on the subject of compensation for an eight day clock, purchased by order of the 25th of February last, for the use of the Senate chamber; which was read.

*Ordered*, That it be referred to Messrs. Jackson, J. Mason, and T. Foster, to consider and report thereon.

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 17, 1801.

The President laid before the Senate the report of the commissioners of the Sinking Fund; which was read.

*Ordered*, That it be printed for the use of the Senate.

On motion,

It was agreed, that the order of the day, on the message of the President of the United States of the 8th instant, be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, DECEMBER 18, 1801.

Mr. Tracy, from the joint committee appointed the 7th instant, on a representation respecting the books purchased in pursuance of a resolution of 24th April, 1800, made report; which was read.

*Ordered*, That it lie for consideration.

Mr. Cocke, from the committee appointed on the 16th instant, to consider the petition of Daniel Fox, made report; which was read.

On motion,

*Ordered*, That it be recommitted further to consider and report thereon.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### SATURDAY, DECEMBER 19, 1801.

The Honorable Gouverneur Morris, from the state of New York, attended.

The Honorable Thomas Sumpter, appointed a Senator by the legislature of the



state of South Carolina, in the place of their late Senator, Charles Pinckney, resigned, produced his credentials, which were read, and he took his seat in the Senate.

The President administered the oath to Mr. Sumpter, as the law prescribes.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, DECEMBER 21, 1801.

The credentials of the Honorable George Logan, appointed a Senator by the legislature of the state of Pennsylvania, were presented and read; and the affirmation prescribed by law was administered by the President.

The President laid before the Senate a report from the Secretary for the Department of Treasury, in obedience to the directions of the act supplementary to the act entitled "An act to establish the Treasury Department;" which was read.

*Ordered*, That it be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a resolution that the Secretary of State be directed to cause to be furnished to each member of the two Houses a copy of the laws of the Sixth Congress; in which they desire the concurrence of the Senate: And he withdrew.

The Senate took into consideration the report of the joint committee, made on the 18th instant, respecting the books purchased in pursuance of a resolution of Congress of the 24th April, 1800; which report was adopted as amended; and sundry resolutions consequent thereon agreed to.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in these resolutions.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, DECEMBER 22, 1801.

The Honorable David Stone, from the state of North Carolina, attended.

The resolution sent yesterday, from the House of Representatives, authorizing the Secretary of State to supply the members of Congress with the fifth volume of the laws, was considered, and postponed for further consideration.

Mr. Anderson gave notice that he should, to-morrow, ask leave to bring in a bill for the discharge of Laurence Erb from his confinement.

The Senate adjourned to 11 o'clock to-morrow morning.

#### WEDNESDAY, DECEMBER 23, 1801.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation, in which they desire the concurrence of the Senate. And he withdrew.

The bill was read and ordered to lie on the table.

Agreeably to notice, yesterday given, Mr. Anderson obtained leave to bring in a bill authorizing the discharge of Laurence Erb from his confinement; which was read and passed to the second reading.

Mr. Cocke, from the committee to whom was recommitted, on the 18th instant, the petition of Daniel Fox, made a further report; which was read and ordered to lie for consideration.

The following written messages were received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I now enclose sundry documents supplementary to those communicated to you with my message at the commencement of the session. Two others, of considerable importance, the one relating to our transactions with the Barbary powers, the other presenting a view of the offices of the government, shall be communicated as soon as they can be completed.

THOMAS JEFFERSON.

December 22, 1801.



*Gentlemen of the Senate, and  
of the House of Representatives:*

Another return of the census of the state of Maryland is just received from the marshal of that state, which he desires may be substituted as more correct than the one first returned by him and communicated by me to Congress. This new return, with his letter, is now laid before you.

THOMAS JEFFERSON.

December 23, 1801.

The messages and papers therein referred to were read, and severally ordered to lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 24, 1801.

The bill authorizing the discharge of Laurence Erb from his confinement was read the second time and committed to Messrs. Anderson, Tracy, and Bradley, to consider and report thereon.

The President laid before the Senate a report of the Postmaster General, in obedience to the "Act to establish the post office;" which was read, and ordered to lie for consideration.

On motion,

The bill sent from the House of Representatives for concurrence, extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation, was read the second time, and the further consideration thereof postponed until Monday next.

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, DECEMBER 28, 1801.

The Honorable John Ewing Colhoun, appointed a Senator by the legislature of the state of South Carolina, produced his credentials, which were read, and he took his seat in the Senate.

The President administered the oath to Mr. Colhoun, as the law prescribes.

On motion,

*Ordered*, That Mr. Bradley have leave of absence for one month, he having received a letter stating that his wife is dangerously ill.

On motion, it was agreed

That the bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation, which was the order of the day, be postponed to the 12th of January next.

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, DECEMBER 29, 1801.

The Senate assembled; and,

After the consideration of the Executive business,

Adjourned to 11 o'clock to-morrow morning.

#### WEDNESDAY, DECEMBER 30, 1801.

On motion,

*Ordered*, That Mr. Logan be on the committee to consider the bill for the relief of Laurence Erb, in the place of Mr. Bradley, absent with leave.

Mr. Tracy gave notice that he should, to-morrow, ask leave to bring in a bill to carry into effect the appropriations of lands in the purchase of the Ohio company, in the northwestern territory, for the support of schools and religion, and for other purposes.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, DECEMBER 31, 1801.

Mr. Breckinridge presented the petition of Isaac Zane, stating that he was made a prisoner at the age of nine years by the Wyandot Indians, with whom he remained until he became of age, had a family by a woman of that nation, and a tract of land



A message from the House of Representatives, by Mr. Beckley, their Clerk:

The bill was twice read by unanimous consent.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in these resolutions.

**MONDAY, JANUARY 4, 1802.**

On motion,

**TUESDAY, JANUARY 5, 1802.**

Whereupon,

On motion,

|                               |   |                |     |
|-------------------------------|---|----------------|-----|
| It passed in the affirmative, | { | Yeas . . . . . | 17, |
|                               |   | Nays . . . . . | 9.  |

Those who voted in the affirmative, are,

Those who voted in the negative, are,

On motion,

To amend the resolution, by adding, after the word stenographer,

“He having given bond in the sum of —— with two sufficient sureties in the sum of —— each, for his good conduct:”

|                            |                  |     |
|----------------------------|------------------|-----|
| It passed in the negative, | { Yeas . . . . . | 10, |
|                            | { Nays . . . . . | 18. |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Chipman, Dayton, Dwight Foster, Hillhouse, Howard, Morris, Ogden, Olcott, Sheafe, and Tracy.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Cocke, Colhoun, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, J. Mason, Nicholas, Stone, Sumpter, White, and Wright.



That the act of Congress passed on the 13th day of February, 1801, entitled "An act to provide for the more convenient organization of the courts of the United States," ought to be repealed: and, after debate,



*Ordered*, That the further consideration thereof be postponed.

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

**MONDAY, JANUARY 11, 1802.**

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I now communicate to you a memorial of the Commissioners of the city of Washington, together with a letter of later date, which, with their memorial of January 28, 1801, will possess the legislature fully of the state of the public interests and of those of the city of Washington confided to them. The moneys now due, and soon to become due, to the state of Maryland, on the loan guarantied by the United States, call for an early attention. The lots in the city which are chargeable with the payment of these moneys are deemed not only equal to the indemnification of the public, but to insure a considerable surplus to the city, to be employed for its improvement; provided they are offered for sale only in sufficient numbers to meet the existing demand. But the act of 1796 requires that they shall be positively sold in such numbers as shall be necessary for the punctual payment of the loans. Nine thousand dollars of interest are lately become due; three thousand dollars quarter yearly will continue to become due; and fifty thousand dollars, an additional loan, are reimbursable on the first day of November next. These sums would require sales so far beyond the actual demand of the market, that it is apprehended that the whole property may be thereby sacrificed, the public security destroyed, and the residuary interest of the city entirely lost. Under these circumstances I have thought it my duty, before I proceed to direct a rigorous execution of the law, to submit the subject to the consideration of the legislature. Whether the public interest will be better secured in the end, and that of the city saved, by offering sales commensurate only to the demand at market, and advancing from the treasury, in the first instance, what these may prove deficient, to be replaced by subsequent sales, rests for the determination of the legislature. If indulgence for the funds can be admitted, they will probably form a resource of great and permanent value; and their embarrassments have been produced only by overstrained exertions to provide accommodations for the government of the union.

TH. JEFFERSON.

*January 11, 1802.*

The message and papers therein referred to were read.

*Ordered*, That they be referred to Messrs. Tracy, Wright, and Howard, to consider and report thereon.

The Senate resumed the consideration of the report of the committee of the 8th instant, on the bill, entitled "An act for the apportionment of representatives among the several states according to the second enumeration;" and the report was adopted, and it was agreed that the bill be now read the third time.

On the question to agree to the final passage of this bill,

|                                       |                  |     |
|---------------------------------------|------------------|-----|
| It was determined in the affirmative, | { Yeas . . . . . | 23, |
|                                       | { Nays . . . . . | 5.  |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Chipman, Cocke, Colhoun, Dayton, Ellery, T. Foster, Dwight Foster, Franklin, Howard, Jackson, Logan, S. T. Mason, J. Mason, Morris, Nicholas, Sheafe, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Hillhouse, Olcott, Tracy, Wells, and White.

So it was,

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate proceeded to consider the amendments reported by the committee to whom was referred the bill, entitled "An act concerning the library for the use of both houses of Congress," and the amendments, with farther amendments, were adopted.

On motion,

It was agreed that the bill be now read the third time.

Whereupon,

*Resolved*, That this bill pass as amended.



*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, JANUARY 12, 1802.

The Senate resumed the consideration of the motion made on the 6th instant—

That the act of Congress passed on the 13th day of February, 1801, entitled "An act to provide for the more convenient organization of the courts of the United States," ought to be repealed; and, after debate,

*Ordered*, That the further consideration thereof be postponed.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate:*

I now communicate to you a letter from the Secretary of State enclosing an estimate of the expenses which appear at present necessary for carrying into effect the convention between the United States of America and the French Republic, which has been prepared at the request of the House of Representatives.

TH. JEFFERSON.

January 12, 1802.

The message and papers accompanying it were read.

*Ordered*, That they lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, JANUARY 13, 1802.

Mr. Wright, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled the bill, entitled—"An act for the apportionment of representatives among the several states according to the second enumeration."

A message from the House of Representatives, by Mr. Lambert, in the absence of their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate resumed the consideration of the motion made on the 6th inst. that the act of Congress passed on the 13th day of February, 1801, entitled "An act to provide for the more convenient organization of the courts of the United States," ought to be repealed. And, after debate,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, JANUARY 14, 1802.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The House of Representatives agree to some and disagree to other amendments of the Senate, to the bill concerning the library for the use of both Houses of Congress. They have passed a bill authorizing the discharge of John Hobby from his confinement; in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The Senate took into consideration the resolution of the House of Representatives of the 21st of December last, authorizing the Secretary of State to furnish the members of both Houses with a copy of the laws of the sixth Congress.

*Resolved*, That they do concur therein.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

Mr. Wright reported, from the Committee on Enrolled Bills, that they did, this day, lay before the President of the United States the bill last reported to have been examined.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The President of the United States hath this day approved and signed the act for the apportionment of Representatives among the several states according to the second enumeration. And he withdrew.



The Senate resumed the consideration of the motion made on the 6th instant, that the act of Congress passed on the 13th day of February, 1801, entitled "An act to provide for the more convenient organization of the courts of the United States," ought to be repealed. And, after debate,

Adjourned to 11 o'clock to-morrow morning.

### FRIDAY, JANUARY 15, 1802.

The Honorable Aaron Burr, Vice President of the United States and President of the Senate, attended.

The bill authorizing the discharge of John Hobby from his confinement was read the second time, and referred to Messrs. Baldwin, J. Mason, and Tracy, to consider and report thereon.

The Senate took into consideration their amendments disagreed to by the House of Representatives, to the bill concerning the library for the use of both Houses of Congress; and,

*Resolved*, That they do insist on the said amendments, ask a conference thereon, and that Messrs. Tracy and Baldwin be managers on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

On motion,

It was agreed that the bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation, should be further postponed.

The Senate resumed the consideration of the motion made on the 6th instant, that the act of Congress passed on the 13th day of February, 1801, entitled "An act to provide for the more convenient organization of the courts of the United States," ought to be repealed. And, after debate,

*Ordered*, That the further consideration of this motion be postponed.

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, JANUARY 18, 1802.

On motion,

The bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation, was further postponed.

Mr. Wright reported, from the Committee on Enrolled Bills, that they had examined and found duly enrolled the resolution authorizing the Secretary of State to furnish the members of both Houses with a copy of the laws of the sixth Congress.

The Senate resumed the consideration of the motion made on the 6th instant, that the act of Congress passed on the 13th day of February, 1801, entitled "An act to provide for the more convenient organization of the courts of the United States," ought to be repealed; and,

On motion,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The letter laid before the Senate on the 8th instant, signed Thomas Tingey and others, the vestry of Washington parish, was considered.

On motion,

*Resolved*, That the President of the Senate, for the time being, be requested to make such order respecting the said letter as he may think proper.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled resolution, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled resolution last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, JANUARY 19, 1802.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives insist on their disagreement to the fourth, sixth, and seventh amendments of the Senate, to the bill concerning the library for the use of both Houses of Congress; they agree to the conference desired by the



*Mr. President:* The President of the United States hath this day approved and signed a resolution authorizing the Secretary of State to furnish the members of both houses with the laws of the sixth Congress. And he withdrew.



After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 22, 1802.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The House of Representatives recede from their disagreement to the fourth and sixth amendments to the bill concerning the library for the use of both houses of Congress. They have passed a bill fixing the military peace-establishment of the United States, and a bill for the protection of the commerce and seamen of the United States in the Mediterranean and adjoining seas; in which bills they desire the concurrence of the Senate. And he withdrew.

The bill first mentioned in the message for concurrence was read, and, by unanimous consent, was read a second time.

*Ordered,* That it be referred to Messrs. Jackson, Dayton, and Howard, to consider and report thereon.

The bill last mentioned in the message was read the first, and, by unanimous consent, a second time.

*Ordered,* That it be referred to Messrs. Baldwin, Sheafe, and Morris, to consider and report thereon.

Mr. Wright, from the committee on enrolled bills, reported that they had examined and found duly enrolled the bill, entitled "An act concerning the library for the use of both houses of Congress."

Mr. Anderson, from the committee to whom was referred, on the 19th instant, the resolution for the repeal of an act of Congress, passed on the 13th day of February, 1801, reported a bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes; which bill was read.

*Ordered,* That it pass to the second reading.

The Senate proceeded to consider the amendment, reported by the committee, to the bill authorizing the discharge of Laurence Erb from his confinement, and the report was adopted, and the bill being further amended,

On motion,

To expunge the last proviso, to wit: "That the said judgment shall remain in full force against any estate, real or personal, which the said Laurence Erb may hereafter acquire, and that process may at any time be thereupon issued against the same:"

It passed in the negative, { Yeas . . . . . 4,  
  { Nays . . . . . 21.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Jackson, Morris, Wells, and Wright.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Chipman, Cocke, Dayton, Ellery, T. Foster, Franklin, Hillhouse, Howard, Logan, S. T. Mason, J. Mason, Nicholas, Olcott, Sheafe, Stone, Sumpter, and White.

On motion,

That this bill pass to the third reading as amended:

It was determined in the affirmative, { Yeas . . . . . 19,  
  { Nays . . . . . 4.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Chipman, Cocke, Dayton, Ellery, Franklin, Jackson, S. T. Mason, J. Mason, Nicholas, Olcott, Sheafe, Stone, Sumpter, Wells, and Wright.

Those who voted in the negative, are,

Messrs. T. Foster, Hillhouse, Howard, and Morris,

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 25, 1802.

The Honorable James Ross, from the state of Pennsylvania, attended.

The bill, entitled "An act authorizing the discharge of Laurence Erb from his confinement," was read the third time.



*Resolved*, That this bill pass.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Ross presented the memorial of the Philadelphia Chamber of Commerce, signed Thomas Fitzsimons, president, stating the decayed situation of the piers erected in the river Delaware, for the protection of vessels in the winter season, and praying Congress to make such appropriations, and take such other order thereon, as the necessity of the case requires; and the petition was read.

*Ordered*, That it lie for consideration.

The bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, was read a second time; and,

On motion,

It was agreed that the consideration of this bill should be the order of the day for to-morrow.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President* : The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, JANUARY 26, 1802.

Mr. Baldwin, from the committee to whom was referred the bill for the protection of the commerce and seamen of the United States in the Mediterranean and adjoining seas, reported amendments; which were read.

*Ordered*, That they lie for consideration.

Agreeably to the order of the day the Senate resumed the second reading of the bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes; and, having agreed to sundry amendments,

On motion,

That the bill be referred to a select committee, with instructions to consider and report the alterations which may be proper in the judiciary system of the United States, and the provision to be made respecting the judges of the circuit courts, established by the act of the 13th of February, 1801, in case the said act shall be repealed:

It passed in the negative,    { Yeas . . . . . 14,  
  { Nays . . . . . 16.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Chipman, Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Cocke, Colhoun, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

On the question to agree to the reading of this bill as amended:

It was determined in the affirmative,    { Yeas . . . . . 15,  
  { Nays . . . . . 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Chipman, Colhoun, Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, Wells, and White.

The Vice President determined the question in the affirmative.

So it was

*Resolved*, That this bill pass to the third reading, as amended.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.



WEDNESDAY, JANUARY 27, 1802.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The House of Representatives have passed a bill to repeal, in part, the act, entitled "An act regulating foreign coins, and for other purposes," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

*Ordered,* That it pass to the second reading.

Mr. Morris presented the petition of White, Brothers, & Co. and others, in behalf of the hat manufacturers of the city of New York, praying additional duties on the importation of foreign hats, and the repeal of the duties on wool and hat trimmings; and the petition was read.

*Ordered,* That it lie on the table.

Mr. Baldwin, from the committee to whom was referred, on the 15th instant, the bill authorizing the discharge of John Hobby from his confinement, reported the bill without amendment.

The bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, was read the third time, and the blanks were filled; and

On motion,

That the bill be referred to a select committee, with instructions to consider and report the alterations which may be proper in the judiciary system of the United States:

It passed in the affirmative, } Yeas . . . . . 15,  
  } Nays . . . . . 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Chipman, Colhoun, Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

The Vice President determined the question in the affirmative.

*Resolved,* That Messrs. Baldwin, Colhoun, Anderson, Dayton, and Morris, be the committee.

The Senate took into consideration the amendments reported by the committee to the bill for the protection of the commerce and seamen of the United States in the Mediterranean and adjoining seas, which were adopted; and

On motion to strike out the third and fourth sections of the bill,

It was agreed that the further consideration thereof be postponed until to-morrow.

The Senate proceeded to the consideration of the report of the committee on the bill authorizing the discharge of John Hobby from his confinement; and, on the question to agree to the third reading of this bill,

It passed in the negative.

So the bill was lost.

*Ordered,* That the Secretary notify the House of Representatives that the Senate do not concur in this bill.

On motion, that it be

*Resolved,* That — be, and they are hereby, appointed a committee to inquire whether any, and, if any, what, regulations are proper to be adopted respecting public officers and agents who shall squander public money officially entrusted to them; with leave to report by bill, bills, or otherwise:

*Ordered,* That this motion lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 28, 1802.

Mr. Wright, from the committee, reported that they did yesterday lay before the President of the United States the enrolled bill, entitled "An act concerning the library for the use of both Houses of Congress."

The bill to repeal in part the act, entitled "An act regulating foreign coins, and for other purposes," was read the second time.

*Ordered,* That it be referred to Messrs. Anderson, Ellery, and Logan, to consider and report thereon.



The Senate resumed the second reading of the bill for the protection of the commerce and seamen of the United States in the Mediterranean and adjoining seas, together with the motion made yesterday for expunging the third and fourth sections; and

On motion,

*Ordered*, That the bill be committed to Messrs. Baldwin, Morris, and Sheafe, further to consider and report thereon.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The President of the United States did this day approve and sign the act concerning the library for the use of both Houses of Congress. And he withdrew.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I lay before you the accounts of our Indian trading houses, as rendered up to the 1st day of January, 1801, with a report of the Secretary of War thereon, explaining the effects and the situation of that commerce, and the reasons in favor of its further extension. But it is believed that the act authorizing this trade expired so long ago as the 3d of March, 1799. Its revival, therefore, as well as its extension, is submitted to the consideration of the legislature.

The act regulating trade and intercourse with the Indian tribes will also expire on the third day of March next. While on the subject of its continuance, it will be worthy the consideration of the legislature, whether the provisions of the law inflicting on Indians in certain cases the punishment of death by hanging, might not permit its commutation into death by military execution; the form of the punishment in the former way being peculiarly repugnant to their ideas, and increasing the obstacles to the surrender of the criminal.

These people are becoming very sensible of the baneful effects produced on their morals, their health, and existence, by the abuse of ardent spirits, and some of them earnestly desire a prohibition of that article from being carried among them. The legislature will consider whether the effectuating that desire would not be in the spirit of benevolence and liberality which they have hitherto practised towards these our neighbors, and which has had so happy an effect towards conciliating their friendship. It has been found too in experience, that the same abuse gives frequent rise to incidents tending much to commit our peace with the Indians.

It is now become necessary to run and mark the boundaries between them and us in various parts. The law last mentioned has authorized this to be done, but no existing appropriation meets the expense.

Certain papers explanatory of the grounds of this communication are herewith enclosed.

TH. JEFFERSON.

*January 27, 1802.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

Mr. Jackson, from the committee to whom was referred, on the 17th of December last, the letter of Samuel Willard to the Secretary of the Senate, relative to a clock executed by the said Willard for the use of the Senate, together with his account therefor, made report, which was read, and ordered to lie for consideration.

The Vice President laid before the Senate the memorial of Narsworthy Hunter, stating that he is appointed a Representative in Congress of the Mississippi territory, and the inconveniences to which he is subjected from the delay of the bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation.

Whereupon,

The bill was read the second time and referred to Messrs. Jackson, Tracy, and Baldwin, to consider and report thereon.

On motion,

*Ordered*, That the following resolution be referred to the same committee.

*Resolved*, That a committee be appointed to bring in a bill providing for the payment and extending the privilege of franking to any person who may attend as a member of the House of Representatives from any district under the jurisdiction of the United States.

The Senate resumed the consideration of the motion made yesterday:

That ——— be, and they are hereby, appointed a committee to inquire whether any, and, if any, what, regulations are proper to be adopted respecting public officers



and agents who shall squander public money officially entrusted to them, with leave to report by bill, bills, or otherwise.

And the motion was adopted; and

*Ordered*, That Messrs. Tracy, Nicholas, and Ogden, be that committee.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, JANUARY 29, 1802.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives have passed the bill authorizing the discharge of Laurence Erb from his confinement. They have considered the resolutions of the Senate in respect to lieutenant Sterret, the officers and crew of the United States' schooner Enterprize, and do not concur therein. They have passed two resolutions expressing the sense of Congress on the gallant conduct of lieutenant Sterret, the officers and crew of the United States' schooner Enterprize, in which they desire the concurrence of the Senate. And he withdrew.

The resolutions were read.

*Ordered*, That they pass to the second reading.

Mr. Baldwin, from the committee to whom was referred, on the 28th instant, the bill for the protection of the commerce and seamen of the United States in the Mediterranean and adjoining seas, reported the bill without further amendment; and the report was adopted.

*Ordered*, That this bill pass to the third reading as amended.

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 1, 1802.

Mr. Wright, from the committee, reported that they had examined and found duly enrolled the bill, entitled "An act authorizing the discharge of Laurence Erb from his confinement."

The resolutions expressing the sense of Congress on the gallant conduct of lieutenant Sterret, the officers and crew of the United States' schooner Enterprize, were read the second time, and, by unanimous consent, had a third reading.

*Resolved*, That the Senate do concur therein.

*Ordered*, That the Secretary notify the House of Representatives of the concurrence.

The bill, entitled "An act for the protection of the commerce and seamen of the United States in the Mediterranean and adjoining seas," was read the third time.

On motion,

To add to the preamble these words: "whereby a state of war now exists with the said Regency:"

It passed in the negative.

*Resolved*, That this bill pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives have passed a bill authorizing the payment of two thousand eight hundred dollars to Philip Sloan, in which they desire the concurrence of the Senate: And he withdrew.

The bill was read the first time, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to Messrs. Chipman, Dwight Foster, and Wright, to consider and report thereon.

Mr. Breckinridge gave notice that he should, to-morrow, move for the discharge of the committee, appointed the 27th of January last, to whom was referred the bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, with instructions to consider and report the alterations which may be proper in the judiciary system of the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, FEBRUARY 2, 1802.

Mr. Wright, from the committee, reported that they had examined, and found duly enrolled, the resolutions expressing the sense of Congress on the gallant conduct of lieutenant Sterret, the officers, and crew, of the United States schooner Enterprize.

Mr. Ross presented the memorial of Jared Ingersoll and others, counsellors, practis-



ing in the courts of Pennsylvania, and in the circuit court of the United States, for the eastern district of Pennsylvania, submitting their unanimous opinion, deliberately and anxiously formed, that the circuit court, on the principles of its present organization, is an important medium for the administration of justice, and that the abolition of the court will probably be attended with great public inconvenience; and the memorial was read.

*Ordered,* That it lie for consideration.

A message from the House of Representatives, by Mr. Lambert:

*Mr President:* The House of Representatives have passed a bill to authorize the settlement of the account of Samuel Dexter, for his expense in defending against the suit of Joseph Hodgson, in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, and sundry enrolled resolutions, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The bill first mentioned in the message was read.

*Ordered,* That it pass to the second reading.

The Vice President signed the enrolled bill and resolutions last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate, and  
of the House of Representatives:*

I now lay before you,

1. A return of ordnance, arms, and military stores, the property of the United States.
2. Returns of muskets and bayonets fabricated at the armories of the United States, at Springfield and Harper's Ferry, and of the expenditures at those places: and,
3. An estimate of expenditures which may be necessary for fortifications and barracks for the present year.

Besides the permanent magazines established at Springfield, West Point, and Harper's Ferry, it is thought one should be established in some point convenient for the states of North Carolina, South Carolina, and Georgia. Such a point will probably be found near the border of the Carolinas, and some small provision by the legislature, preparatory to the establishment, will be necessary for the present year.

We find the United States in possession of certain iron mines and works, in the county of Berkley, and state of Virginia, purchased, as is presumed, on the idea of establishing works for the fabrication of cannon and other military articles by the public. Whether this method of supplying what may be wanted will be most advisable, or that of purchasing at market, where competition brings every thing to its proper level of price and quality, is for the legislature to decide: and, if the latter alternative be preferred, it will rest for their further consideration in what way the subjects of this purchase may be best employed or disposed of. The Attorney General's opinion on the subject of the title accompanies this.

There are, in various parts of the United States, small parcels of land which have been purchased at different times for cantonments and other military purposes. Several of them are in situations not likely to be accommodated to future purposes. The loss of the records prevents a detailed statement of these until they can be supplied by inquiry. In the mean time, one of them, containing eighty-eight acres, in the county of Essex, in New Jersey, purchased in 1799, and sold the following year to Cornelius Vermule and Andrew Codmas, though its price has been received, cannot be conveyed without authority from the legislature.

I enclose herewith a letter from the Secretary of War, on the subject of the islands in the lakes and rivers of our northern boundary, and of certain lands in the neighborhood of some of our military posts, on which it may be expedient for the legislature to make some provisions.

TH. JEFFERSON.

*February 2, 1802.*

The message was read.

*Ordered,* That the message and papers therein referred to lie for consideration.

Mr. Breckinridge introduced the motion, of which he gave notice yesterday, that the committee appointed the 27th of January last, to whom was referred the bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes, with instructions to consider and report the alterations which may be proper in the judiciary system of the United States, be discharged:

And, on the question to agree to this motion,



It was determined in the affirmative, { Yeas . . . . . 16,  
 { Nays . . . . . 14.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Chipman, Colhoun, Dayton, Dwight Foster, Hillhouse, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, Wells, and White.

So it was,

*Resolved*, That the said committee be discharged.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill for the protection of the commerce and seamen of the United States, in the Mediterranean and adjoining seas. And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, FEBRUARY 3, 1802.

Mr. Wright reported, from the committee, that they did yesterday lay before the President of the United States the enrolled bill and resolutions last reported to have been examined.

The bill to authorize the settlement of the account of Samuel Dexter, for his expense in defending against the suit of Joseph Hodgson, was read the second time.

*Ordered*, That it be referred to Messrs. Tracy, Dwight Foster, and Brown, to consider and report thereon.

A message from the President of the United States, by Mr. Lewis, his Secretary:

*Mr. President*: The President of the United States hath this day approved and signed the act authorizing the discharge of Laurence Erb from his confinement.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The President of the United States hath this day approved and signed the resolutions expressing the sense of Congress on the gallant conduct of lieutenant Sterret, the officers, and crew, of the United States schooner Enterprize. And he withdrew.

The Senate resumed the third reading of the bill to repeal certain acts respecting the organization of the courts of the United States, and for other purposes.

On motion,

To amend the first section, by adding thereto, "excepting so much thereof as relates to the courts thereby established in the third circuit:"

It was determined in the negative, { Yeas . . . . . 14,  
 { Nays . . . . . 16.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Chipman, Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

And, on the question to agree to the final passage of this bill,

It was determined in the affirmative, { Yeas . . . . . 16,  
 { Nays . . . . . 15.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Chipman, Colhoun, Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, Wells, and White.

So it was,

*Resolved*, That this bill pass, that it be engrossed, and that the title thereof be "An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes."



*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 4, 1802.

Mr. Wright reported, from the committee, that they had examined and found duly enrolled the bill, entitled "An act for the protection of the commerce and seamen of the United States against the Tripolitan cruisers."

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives have passed a bill for the relief of Lyon Lehman; in which they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The bill first mentioned in the message was read.

*Ordered*, That it pass to the second reading.

The Vice President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 5, 1802.

The bill for the relief of Lyon Lehman was read the second time.

*Ordered*, That it be referred to Messrs. Bradley, Tracy, and Ogden, to consider and report thereon.

Mr. Colhoun presented the memorial and petition of Adam Tunno and others, merchants, of Charleston, South Carolina, stating that they were owners of the ship South Carolina, Paul Post, late commander, taken by certain Spanish privateers, and carried by them to Palma, in Majorca, and there condemned with her cargo in the year 1799, under an edict of the king of Spain; and praying the interposition of government for their relief; and the petition was read.

*Ordered*, That it be referred to the Secretary for the Department of State, to report thereon to the Senate.

Mr. Ross presented the memorial of the merchants of the city of Philadelphia, signed Willing and Francis, and others, stating that severe injuries have been inflicted on their commerce during the late European war, from the predatory cruisers of the contending powers; reparation for which hath been demanded, and, in some measure, obtained from Great Britain and Spain; but in consequence of the convention lately ratified with the government of France, they are precluded from recurrence to the justice of that nation for damages sustained; and therefore pray redress from their own government; and the petition was read.

*Ordered*, That it lie for consideration, and that it be printed for the use of the Senate.

Mr. Tracy, from the committee to whom was referred, on the 2d instant, the bill to authorize the settlement of the account of Samuel Dexter for his expense against the suit of Joseph Hodgson, reported it without amendment.

*Ordered*, That the consideration of this bill be the order of the day for Tuesday next.

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 8, 1802.

The Senate took into consideration the memorial of the merchants of Philadelphia, presented on the 5th instant; and

On motion,

*Ordered*, That it be referred to Messrs. Baldwin, Brown, Breckinridge, Anderson, and Hillhouse, to consider and report thereon to the Senate.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, FEBRUARY 9, 1802.

On request,

Mr. Chipman had leave of absence after to-morrow for the remainder of the session.



The Senate resumed the second reading of the bill to authorize the settlement of the account of Samuel Dexter for his expense in defending against the suit of Joseph Hodgson; and,

On the question to agree to the third reading of this bill,

It passed in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 14, \\ \text{Nays} \dots\dots\dots 14. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Chipman, Dayton, T. Foster, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Sheafe, Tracy, and Wells.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Cocke, Colhoun, Ellery, Franklin, Jackson, S. T. Mason, Stone, Sumpter, and Wright.

The Vice President determined the question in the affirmative.

So it was,

*Resolved*, That this bill pass to the third reading.

Mr. Wright reported, from the committee, that they did, on the 5th instant, lay the enrolled bill last reported to have been examined before the President of the United States.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The President of the United States did, on the 8th instant, approve and sign "An act for the protection of the commerce and seamen of the United States against the Tripolitan cruisers." The House of Representatives have passed a bill to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act to regulate the collection of duties on imports and tonnage; in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

A motion was made,

That a committee be appointed to take into consideration the expediency of continuing in force, and of revising and amending, the act, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers;" and

It was agreed that this motion lie for consideration.

Mr. Jackson, from the committee to whom was referred, on the 22d of January last, the bill fixing the military peace establishment of the United States, reported amendments; which were read.

*Ordered*, That they lie for consideration.

Mr. S. T. Mason gave notice that he should, on Thursday next, ask leave to bring in a bill to repeal the act, entitled "An act for the punishment of crimes therein specified."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, FEBRUARY 10, 1802.

The Vice President laid before the Senate a letter from Mr. Armstrong, one of the Senators of the state of New York, resigning his seat in the Senate.

On motion,

*Resolved*, That the Vice President be requested to notify this resignation to the Executive of the state of New York.

Mr. Jackson, from the committee to whom was referred, on the 28th of January last, the bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation; and to whom was also referred the motion that a committee be appointed to bring in a bill providing for the payment, and extending the privilege of franking, to any person who may attend as a member of the House of Representatives, from any district under the jurisdiction of the United States, reported amendments to the bill first mentioned; which were read and considered.

On motion,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The bill to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act to regulate the collection of duties on imports and tonnage, was read the second time.

*Ordered*, That it be referred to Messrs. Tracy, Brown, and Sheafe, to consider and report thereon to the Senate.



Mr. Dayton presented the memorial of Abraham D. B. Marentille, stating that he had invented certain machines for the preservation of persons exposed to drowning by shipwreck, and praying a patent therefor; and the petition was read.

*Ordered*, That it lie on the table.

The bill to authorize the settlement of the account of Samuel Dexter, for his expense in defending against the suit of Joseph Hodgson, was read the third time, and amended.

*Resolved*, That this bill pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The motion made yesterday, "That a committee be appointed to take into consideration the expediency of continuing in force, and of revising and amending, the act, entitled 'An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers,'" was agreed to; and referred to Messrs. Anderson, Tracy, and Brown, to report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 11, 1802.

Mr. Bradley, from the committee to whom was referred, on the 5th instant, the bill for the relief of Lyon Lehman, reported an amendment, which was read and disagreed to.

On motion,

*Ordered*, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives have passed a bill making certain partial appropriations for the year one thousand eight hundred and two; and a bill to authorize the collection of fees due to the officers of the respective courts in the state of Maryland, from persons residing within the territory of Columbia, by the marshal of the said district; in which bills they desire the concurrence of the Senate. And he withdrew.

The bills last mentioned were read.

*Ordered*, That they severally pass to the second reading.

On motion,

*Ordered*, That Mr. Bradley be on the committee to consider the bill authorizing the payment of two thousand eight hundred dollars to Philip Sloan, in place of Mr. Chipman, absent with leave.

The Senate took into consideration the amendments yesterday reported by the committee to the bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation; which report was amended and adopted, and the bill passed to the third reading as amended.

Agreeably to notice given yesterday, Mr. S. T. Mason obtained leave to bring in a bill to repeal an act, entitled "An act for the punishment of certain crimes therein specified; and the bill was read.

*Ordered*, That it pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 12, 1802.

The bill to authorize the collection of fees due to the officers of the respective courts in the state of Maryland, from persons residing within the territory of Columbia, by the marshal of the said district, was read the second time.

*Ordered*, That it be referred to Messrs. Wright, S. T. Mason, and Anderson, to consider and report thereon to the Senate.

The bill making certain partial appropriations for the year one thousand eight hundred and two was read the second time.

*Ordered*, That it be referred to Messrs. Baldwin, Tracy, and Ellery, to consider and report thereon to the Senate.

The bill to repeal an act, entitled "An act for the punishment of certain crimes therein specified," was read the second time; and

On the question to agree to the third reading of this bill,

It passed in the negative.

So the bill was lost.

The bill for the relief of Lyon Lehman was read the third time and amended.

*Ordered*, That so much of the message of the President of the United States, of 2d February, instant, as refers to the report of the Secretary of War, on the subject of the



islands in the lakes and rivers of our northern boundary, and of certain lands in the neighborhood of our military posts, be committed to Messrs. Tracy, Bradley, and Brown, to consider and report thereon by bill or otherwise.

After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, FEBRUARY 16, 1802.

The bill, entitled "An act making certain partial appropriations for the year one thousand eight hundred and two," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary notify to the House of Representatives the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill extending the privilege of franking letters to the delegate from the Mississippi territory, and making provision for his compensation. And he withdrew.

Mr. Wright reported, from the committee, that they had examined and found duly enrolled the bill last mentioned.

On motion,

*Ordered*, That the amendments reported by the committee on the 22d of January last, to the bill fixing the military peace establishment of the United States, be the order of the day for to-morrow.

On motion,

*Ordered*, That the petition of John James Dufour, presented yesterday, be referred to Messrs. Brown, Baldwin, and Tracy, to consider and report thereon to the Senate.

Mr. Ross presented the memorial of the merchants and traders of the city of Philadelphia, signed Thomas Fitzsimons and others, stating their opinion that the present organization of the judicial courts of the United States is highly beneficial in the administration of justice, and that its abolition will be of much public detriment, and praying that, at least, it may be preserved so far as respects the courts of the third circuit; and the memorial was read.

*Ordered*, That it lie on the table.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, FEBRUARY 17, 1802.

Two written messages were received from the President of the United States, by Mr. Lewis, his Secretary.

Agreeably to the order of the day, the Senate took into consideration the amendments reported by the committee, on the 22d of January last, to the bill fixing the military peace establishment of the United States; and, after progress,

The Senate adjourned to 11 o'clock, to-morrow morning.

### THURSDAY, FEBRUARY 18, 1802.

The messages communicated yesterday from the President of the United States were read, as follows:

*Gentlemen of the Senate and  
of the House of Representatives:*

I now transmit a statement of the expenses incurred by the United States in their transactions with the Barbary powers, and a roll of the persons having office or employment under the United States, as was proposed in my messages of December the 7th and 22d. Neither is as perfect as could have been wished; and the latter not so much so as further time and inquiry may enable us to make it.

The great volume of these communications, and the delay it would produce to make out a second copy, will, I trust, be deemed a sufficient reason for sending one of them to the one house, and the other to the other, with a request that they may be interchanged for mutual information, rather than to subject both to further delay.

TH. JEFFERSON.

February 16, 1802.

*Gentlemen of the Senate  
and of the House of Representatives:*

I lay before both Houses of Congress for their information the report from the Director of the Mint now enclosed.

TH. JEFFERSON.

February 17, 1802.

The papers referred to in the messages were read.

*Ordered,* That they severally lie for consideration.

Mr. Wright, from the committee, reported that they had examined, and found duly enrolled, the bill, entitled "An act making certain partial appropriations for the year one thousand eight hundred and two;" also, that, on the 17th instant, the committee laid before the President of the United States the enrolled bill, entitled "An act extending the privilege of franking and receiving letters free of postage to any person admitted, or to be admitted, to take a seat in Congress as a delegate, and providing compensation for such delegate."

Mr. Ogden, from the committee appointed on the 15th instant, reported a bill to authorize the President of the United States to convey certain parcels of land therein mentioned, and the bill was read.

*Ordered,* That this bill pass to the second reading.

On motion,

*Ordered,* That Mr. S. T. Mason be on the committee to consider the bill to repeal in part the act, entitled "An act regulating foreign coins, and for other purposes," in place of Mr. Logan, absent with leave.

The Senate resumed the consideration of the amendments reported by the committee, on the 22d of January last, to the bill fixing the military peace establishment of the United States.

On motion,

*Ordered,* That the further consideration thereof be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 19, 1802.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. The President of the United States did, on the 18th instant, approve and sign "An act extending the privilege of franking and receiving letters free of postage to any person admitted, or to be admitted, to take a seat in Congress as a delegate, and providing compensation for such delegate." And he withdrew.

The Vice President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill to authorize the President of the United States to convey certain parcels of land therein mentioned, was read the second time; and it was agreed that it should lie for consideration.

On motion,

*Ordered,* That the consideration of the amendments reported by the committee, on the 22d of January last, to the bill fixing the military peace establishment of the United States, be postponed until Monday next.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate  
and of the House of Representatives:*

In a message of the 2d instant, I enclosed a letter from the Secretary of War on the subject of certain lands in the neighborhood of our military posts, on which it might be expedient for the legislature to make some provisions. A letter recently received from the Governor of Indiana presents some further views of the extent to which such provision may be needed. I therefore now transmit it for the information of Congress.

TH. JEFFERSON.

February 18, 1802.

The message and letter therein referred to were read.

*Ordered,* That the letter be referred to Mr. Tracy and others, the committee appointed on this subject the 15th instant, to consider and report thereon to the Senate.

Mr. Tracy, from the committee to whom was referred, on the 10th instant, the bill



to allow a drawback of duties on goods exported to New Orleans; and therein to amend the act to regulate the collection of duties on imports and tonnage, made report; which was read.

*Ordered*, That this report lie for consideration.

Mr. Bradley communicated sundry resolutions of the legislature of the state of Vermont, which were read, as follows:

STATE OF VERMONT, IN GENERAL ASSEMBLY:

*Resolved*, That, in the opinion of the legislature, the following amendments to the constitution of the United States would conduce to the happiness of the citizens thereof, by the establishment of an uniform mode for the choice of electors of President and Vice President of the United States and of Representatives to Congress.

1st. That after the third day of March, in the year one thousand eight hundred and one, the choice of electors of President and Vice President shall be made by the legislature of each state, dividing the state into a number of districts equal to the number of electors to be chosen in such state, and by the persons in each of those districts who shall have the qualifications requisite for electors of the most numerous branch of the legislature of such state choosing one elector in the manner which the legislature thereof shall prescribe, which district, when so divided, shall remain unalterable until a new census of the United States shall be obtained.

2d. That the elections of Representatives to serve after the third day of March, in the year one thousand eight hundred and three, shall be by dividing each state, by the legislature thereof, into a number of districts, equal to the number of Representatives to which such state shall be entitled, and by the people within each of those districts who shall have the qualifications requisite for electors of the most numerous branch of the legislature of such state choosing one Representative in the manner which the legislature thereof shall prescribe, which district, when so divided, shall remain unalterable until a new census of the United States shall be obtained.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 22, 1802.

The Senate assembled; and,

On motion,

Adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 23, 1802.

The Honorable De Witt Clinton, appointed a Senator by the legislature of the state of New York, in the place of John Armstrong, esquire, their late Senator, who has resigned, produced his credentials, which were read, and he took his seat in the Senate.

The Vice President administered the oath to Mr. Clinton as the law prescribes.

On motion,

*Ordered*, That the consideration of the amendments reported by the committee on the 22d of January last, to the bill fixing the military peace establishment of the United States, be further postponed until to-morrow.

On motion,

*Ordered*, That the consideration of the amendments reported by the committee on the 19th instant to the bill to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act to regulate the collection of duties on imports and tonnage, be postponed until to-morrow.

The Senate resumed the second reading of the bill to authorize the President of the United States to convey certain parcels of land therein mentioned.

On motion,

*Ordered*, That this bill pass to the third reading.

Mr. Anderson, from the committee to whom was referred on the 28th of January last, the bill to repeal in part the act, entitled "An act regulating foreign coins, and for other purposes," reported it without amendment.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 24, 1802.

Mr. Wright reported, from the committee, that they did, yesterday, lay before the President of the United States the enrolled bill, entitled "An act making certain partial appropriations for the year one thousand eight hundred and two."

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate and  
of the House of Representatives:*

I communicate to both Houses of Congress a report of the Secretary of the Treasury on the subject of our marine hospitals, which appear to require legislative attention.

As connected with the same subject, I also inclose information respecting the situation of our seamen and boatmen frequenting the port of New Orleans, and suffering there from sickness and the want of accommodation. There is good reason to believe their numbers greater than stated in these papers. When we consider how great a proportion of the territory of the United States must communicate with that port singly; and how rapidly that territory is increasing its population and productions, it may, perhaps, be thought reasonable to make hospital provisions there of a different order from those at foreign ports generally.

TH. JEFFERSON.

February 24, 1802.

The message and papers therein referred to were read.

*Ordered*, That they severally lie for consideration.

Mr. Morris communicated sundry resolutions of the legislature of the state of New York, which were read, as follow:

*Resolved*, As the sense of the legislature, that the following amendments ought to be incorporated into the constitution of the United States, as a necessary safe-guard against pernicious dissensions in the choice of a President and Vice President, and as the most eligible mode of obtaining a full and fair expression of the public will in such election:

1. That the state legislature shall, from time to time, divide each state into districts, equal to the whole number of senators and representatives from such state in the Congress of the United States; and shall direct the mode of choosing an elector of President and Vice President, in each of the said districts, who shall be chosen by citizens having the qualifications requisite for electors of the most numerous branch of the state legislature; and that the districts, so to be constituted, shall consist, as nearly as may be, of contiguous territory, and of equal proportion of population, except where there may be any detached portion of territory, not of itself sufficient to form a district, which then shall be annexed to some other portion nearest thereto; which districts, when so divided, shall remain unalterable until a new census of the United States shall be taken.

2. That in all future elections of President and Vice President, the persons voted for shall be particularly designated, by declaring which is voted for as President, and which as Vice President.

The Senate resumed the consideration of the amendments reported by the committee, on the 22d of January last, to the bill fixing the military peace establishment of the United States, which were in part adopted; and, after progress,

*Ordered*, That the further consideration thereof be postponed.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The President of the United States did, on the 23d instant, approve and sign "An act making certain partial appropriations for the year one thousand eight hundred and two." And he withdrew,

On request,

Mr. Stone and Mr. Sheafe severally obtained leave of absence, after Monday next, for five weeks.

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 25, 1802.

The Senate resumed the consideration of the report of the committee on the bill fixing the military peace establishment of the United States; which were in part adopted; and having agreed further to amend the bill,

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 26, 1802.

The Senate resumed the consideration of the report of the committee on the bill fixing the military peace establishment of the United States; and,



On motion,

*Ordered*, That the bill be recommitted to Messrs. Bradley, Nicholas, and Jackson, further to consider and report thereon to the Senate.

The following written messages were received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate and  
of the House of Representatives:*

No occasion having arisen since the last account rendered by my predecessor of making use of any part of the moneys heretofore granted to defray the contingent charges of the government, I now transmit to Congress an official statement thereof to the 31st day of December last, when the whole unexpended balance, amounting to twenty thousand nine hundred and eleven dollars and eighty cents, was carried to the credit of the surplus fund, as provided by law; and this account consequently becomes finally closed.

TH. JEFFERSON.

February 25, 1802.

*Gentlemen of the Senate and  
of the House of Representatives:*

Some statements have been lately received of the causes decided or depending in the courts of the Union in certain states, supplementary or corrective of those from which was formed the general statement accompanying my message at the opening of the session. I therefore communicate them to Congress, with a report of the Secretary of State, noting their effect on the former statement, and correcting certain errors in it which arose partly from inexactitude in some of the returns, and partly in analysing, adding, and transcribing them, while hurried in preparing the other voluminous papers accompanying that message.

TH. JEFFERSON.

February 26, 1802.

The messages and papers therein referred to were read.

*Ordered*, That they severally lie for consideration.

Mr. Wright, from the committee to whom was referred, on the 12th instant, the bill to authorize the collection of fees due to the officers of the respective courts in the state of Maryland, from persons residing within the territory of Columbia, by the marshal of the said district, reported amendments; which were read.

*Ordered*, That they lie for consideration.

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, MARCH 1, 1802.

Mr. Bradley, from the committee to whom was referred, on the 15th of February last, the bill to amend an act, entitled "An act to lay and collect a direct tax within the United States," reported amendments; which were read.

*Ordered*, That they lie for consideration.

The bill to authorize the President of the United States to convey certain parcels of land therein mentioned, was read the third time, and amended.

*Resolved*, That this bill do pass, that it be engrossed, and that the title thereof be "An act to authorize the President of the United States to convey certain parcels of land therein mentioned."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate resumed the second reading of the bill to repeal in part the act, entitled "An act regulating foreign coins, and for other purposes."

*Ordered*, That this bill pass to the third reading.

The Senate took into consideration the amendments reported by the committee, on the 26th of February last, to the bill to authorize the collection of fees due to the officers of the respective courts in the state of Maryland, from persons residing within the territory of Columbia, by the marshal of the said district, and having in part agreed thereto,

*Ordered*, That the further consideration of this bill be postponed until to-morrow.

Mr. Clinton presented the petition of Ebenezer Stevens, merchant, of the city of New York, stating that Thomas Watson, late master of the sloop Harriot, which was shipwrecked in the West Indies, soon afterwards purchased, with the funds of the petitioner, a certain American built ship called the Bellona; prior to which, and unknown to the purchaser, the said ship had been employed in illicit commerce, and, in conse-

quence whereof, on her arrival at New York, she was seized by the revenue officers of that district, and there condemned; and that the petitioner can only obtain that relief which he prays, by a special act of the legislature; and the petition was read.

*Ordered*, That it be referred to Messrs. Clinton, Brown, and Hillhouse, to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, MARCH 2, 1802.

The Vice President laid before the Senate a report of the Secretary for the Department of Treasury, with a statement of the emoluments of the officers employed in the collection of the customs for the year 1801; also, a statement of the sums paid into the Treasury, by the collectors of each port, during the same year; which were read.

*Ordered*, That they severally lie on file.

The Senate resumed the second reading of the bill to authorize the collection of fees due to the officers of the respective courts in the state of Maryland, from persons residing within the territory of Columbia, by the marshal of the said district; and having agreed to a further amendment,

*Ordered*, That this bill pass to the third reading as amended.

The following written message was received from the President of the United States by Mr. Lewis, his Secretary:

*Gentlemen of the Senate and  
of the House Representatives:*

I transmit, for the information of Congress, letters recently received from our consuls at Gibraltar and Algiers, presenting the latest view of the state of our affairs with the Barbary powers. The sums due to the government of Algiers are now fully paid up; and of the gratuity which had been promised to that of Tunis, and was in a course of preparation, a small portion only remains still to be finished and delivered.

TH. JEFFERSON.

March 1, 1802.

The message and papers referred to were read.

*Ordered*, That they lie for consideration.

The Senate took into consideration the amendment reported by the committee, the 19th of February last, on the bill to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act to regulate the collection of duties on imports and tonnage; and the amendment was not adopted.

On motion,

*Ordered*, That the further consideration of this bill be postponed until to-morrow.

Mr. Bradley, from the committee to whom was recommitted, on the 26th of February last, the bill fixing the military peace establishment of the United States, reported amendments, which were read.

*Ordered*, That they lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, MARCH 3, 1802.

On motion,

*Ordered*, That the message of the President of the United States, of the 1st instant, and the papers therein referred to, be committed to Messrs. Tracy, Dayton, and Clinton, to consider and report thereon to the Senate.

The bill, entitled "An act to authorize the collection of fees due to the officers of the respective courts in the state of Maryland, from persons residing within the territory of Columbia, by the marshal of the said district," was read the third time.

On the question, Shall this bill pass?

It was resolved in the negative.

So the bill was lost.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

The bill, entitled "An act to repeal, in part, the act, entitled 'An act regulating foreign coins, and for other purposes,'" was read the third time; and a motion was made for an amendment; and it was agreed that it should lie for consideration.

The Senate took into consideration the amendments reported by the committee on the 1st instant to the bill to amend an act, entitled "An act to lay and collect a direct tax within the United States;" and, having adopted the same,

*Ordered*, That this bill pass to the third reading as amended.

The Senate adjourned to 11 o'clock to-morrow morning.



THURSDAY, MARCH 4, 1802.

Mr. Bradley presented the petitions of Samuel Blodget, Thomas Tolman, and Aaron Shepard, collectors of the direct tax within the state of Vermont, stating that they have incurred, in the prosecution of that business, certain expenses, more than the compensation allowed by law; suggesting the expediency of further provisions on the subject, and praying the interposition of the legislature for their relief; and the petitions were read.

*Ordered*, That they be severally referred to Messrs. Bradley, Clinton, and Hillhouse, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes." They concur in the amendment of the Senate to the bill, entitled "An act for the relief of Lyon Lehman." And he withdrew.

The Senate took into consideration the amendments reported by the committee on the 2d inst. to the bill fixing the military peace establishment of the United States, which were amended and adopted: and

*Resolved*, That this bill pass to the third reading as amended.

Mr. Wright reported from the committee that they had this day examined and found duly enrolled the bill, entitled "An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes."

The Senate resumed the second reading of the bill to allow a drawback of duties on goods exported to New Orleans, and therein to amend the act to regulate the collection of duties on imports and tonnage."

And on the question, Shall this bill pass to the third reading?

It passed in the negative, { Yeas . . . . . 2,  
  { Nays . . . . . 21.

The yeas and nays being required by one-fifth of the Senators present.

Those who voted in the affirmative, are,

Messrs. Morris and Nicholas.

Those who voted in the negative, are,

Messrs. Baldwin, Breckinridge, Brown, Clinton, Dayton, Ellery, T. Foster, Dwight Foster, Franklin, Hillhouse, Howard, Jackson, Logan, S. T. Mason, J. Mason, Ogden, Olcott, Sumpter, Tracy, White, and Wright.

So the bill was lost.

*Ordered*, That the Secretary notify the House of Representatives that the Senate do not concur in this bill.

On request, Mr. Hillhouse obtained leave of absence after Tuesday next.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MARCH 5, 1802.

Mr. Wright reported from the committee that they this day examined and found duly enrolled the bill, entitled "An act for the relief of Lyon Lehman."

The bill, entitled "An act fixing the military peace establishment of the United States," was read the third time and further amended; and on the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 15,  
  { Nays . . . . . 10.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Baldwin, Bradley, Breckinridge, Brown, Clinton, Colhoun, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Dayton, Dwight Foster, Hillhouse, Howard, J. Mason, Morris, Ogden, Olcott, Tracy, and White.

So it was,

*Resolved*, That this bill pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

On motion,

*Ordered*, That Messrs. Dayton, Morris, and Baldwin, be a committee to revise the rules for conducting business in the Senate, and to report such alterations and amendments as in their opinion may be necessary.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Dwight Foster, from the committee to whom was referred, on the 1st of February last, the bill authorizing the payment of two thousand eight hundred dollars to Philip Sloan, reported the bill without amendment.

Mr. Tracy reported from the committee to whom was referred the papers mentioned in the message of the President of the United States of the 1st instant that the publication thereof would be unnecessary.

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, MARCH 8, 1802.

Mr. Wright reported, from the committee, that they did, on the 6th instant, lay before the President of the United States the enrolled bill, entitled "An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes;" also, the enrolled bill, entitled "An act for the relief of Lyon Lehman."

The Senate resumed the second reading of the bill authorizing the payment of two thousand eight hundred dollars to Philip Sloan.

On motion,

*Resolved*, That this bill be postponed until the next session of Congress.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the President of the United States, by Mr. Lewis, his Secretary:

*Mr. President:* The President of the United States hath this day approved and signed "An act to repeal certain acts respecting the organization of the courts of the United States, and for other purposes."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate resumed the third reading of the bill, entitled "An act to repeal in part the act, entitled 'An act regulating foreign coins, and for other purposes.'"

On motion,

*Ordered*, That the further consideration of this bill be postponed until the first Monday in April next.

The bill, entitled "An act to amend an act, entitled 'An act to lay and collect a direct tax within the United States,'" was read the third time.

*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

On motion,

*Ordered*, That Mr. Tracy be of the committee appointed the 1st instant on the petition of Ebenezer Stevens, in place of Mr. Hillhouse, who hath obtained leave of absence.

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, MARCH 9, 1802.

Mr. S. T. Mason presented the petition of Albert Russell and others, stating that they were respectively entitled to quotas of land in consequence of their services in the Virginia line of the army, during the Revolutionary war, and having obtained warrants and surveys thereof, they were casually lost, and cannot be renewed without legislative interference, and therefor praying relief; and the petition was read.

*Ordered*, That it be referred to Messrs. Tracy, Baldwin, and Bradley, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The President of the United States did, on the 8th instant, approve and sign "An act for the relief of Lyon Lehman." The House of Representatives have passed a bill for the rebuilding the light-house on Gurnet Point, at the entrance of Plymouth Harbor—for rebuilding the light-house at the eastern end of New Castle Island—for erecting a light house on Lynde's Point, and for other purposes; also, a bill for the accommodation of persons concerned in certain fisheries therein mentioned; and a resolution appointing a joint committee for the purpose of laying out,



agreeably to law, the unexpended balance of a sum of five thousand dollars heretofore appropriated to purchase books and maps for the use of the two Houses of Congress; in which bills and resolution they desire the concurrence of the Senate. They agree to some and disagree to other amendments of the Senate to the bill fixing the military peace establishment of the United States. And he withdrew.

The bill first mentioned in the message for concurrence was read, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to Messrs. Jackson, Dwight Foster, and Olcott, to consider and report thereon.

The other bill mentioned in the message for concurrence was read, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to Messrs. Franklin, Jonathan Mason, and Baldwin, to consider and report thereon.

The resolution of the House of Representatives for the appointment of a joint committee for the further purchase of books and maps for the use of both Houses of Congress was read.

*Ordered*, That it lie for consideration.

The amendments disagreed to by the House of Representatives to the bill fixing the military peace establishment of the United States were read.

On motion,

*Ordered*, That the consideration thereof be postponed until to-morrow.

Mr. Anderson gave notice that he should, to-morrow, ask leave to bring in a bill to provide for the more convenient organization of the courts of the United States within the state of Tennessee.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, MARCH 10, 1802.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act to amend the act, entitled 'An act to lay and collect a direct tax within the United States,'" except to the fourth amendment, to which they disagree. They have passed a bill, entitled "An act for the relief of Francis Duchoquet," in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned in the message was read, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to Messrs. Dwight Foster, Baldwin, and Brown, to consider and report thereon.

The Senate took into consideration their amendments disagreed to by the House of Representatives to the bill, entitled "An act fixing the military peace establishment of the United States."

*Resolved*, That they recede from their fourth and fifth amendments, and insist on their fifteenth amendment to the said bill.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The Senate took into consideration their amendment disagreed to by the House of Representatives to the bill, entitled "An act to amend an act, entitled 'An act to lay and collect a direct tax within the United States.'"

*Resolved*, That they do insist on the said amendment, ask a conference thereon, and that Messrs. Bradley and Tracy be the managers on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The resolution of the House of Representatives for the appointment of a joint committee for the further purchase of books and maps for the use of both Houses of Congress, was read the second time.

*Ordered*, That this resolution pass to the third reading.

Agreeably to notice, yesterday given, Mr. Anderson had leave to bring in a bill to provide for the more convenient organization of the courts of the United States within the state of Tennessee, and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, MARCH 11, 1802.

Mr. Dwight Foster, from the committee to whom was referred, on the 10th instant, the bill, entitled "An act for the relief of Francis Duchoquet," reported the same without amendment.

*Ordered*, That this bill pass to the third reading.

On motion, that it be

*Resolved*, That a committee be appointed to inquire what further and more effectual means ought to be provided by law for carrying the mail of the United States—

It was agreed that this motion should lie for consideration.

Mr. Franklin, from the committee to whom was referred, on the 9th instant, the bill, entitled "An act for the accommodation of persons concerned in certain fisheries therein mentioned," reported the bill without amendment.

*Ordered*, That this bill pass to the third reading.

The resolution of the House of Representatives for the appointment of a joint committee for the further purchase of books and maps for the use of both Houses of Congress, was read the third time.

*Resolved*, That the Senate do concur therein, and that Messrs. Baldwin, Clinton, and Logan, be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill to provide for the more convenient organization of the courts of the United States within the state of Tennessee, was read the second time.

*Ordered*, That it be referred to Messrs. Anderson, Nicholas, and Baldwin, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives recede from their disagreement to the fourth amendment of the Senate to the bill, entitled "An act to amend an act, entitled 'An act to lay and collect a direct tax within the United States;'" also, from their disagreement to the fifteenth amendment of the Senate to the bill, entitled "An act fixing the military peace establishment of the United States." They have passed a bill, entitled "An act for revising and amending the acts concerning naturalization," in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned in the message was read.

*Ordered*, That it pass to the second reading.

Mr. Clinton presented the petition of John Thomas and others, aliens, residing in the city of New York and its vicinity, praying relief under certain unfavorable provisions in the act to establish an uniform rule of naturalization; and the petition was read.

*Ordered*, That it lie on the table.

Mr. Anderson, from the committee to whom the subject was referred on the 10th of February last, reported a bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers; and the bill was read.

*Ordered*, That it pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, MARCH 12, 1802.

The bill, entitled "An act for the accommodation of persons concerned in certain fisheries therein mentioned," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act for the relief of Francis Duchoquet," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

On motion,

*Ordered*, That Mr. Ellery be added to the committee for enrolled bills on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act for revising and amending the acts concerning naturalization," was read the second time.

*Ordered*, That it be referred to Messrs. Clinton, Logan, and Sumpter, to consider and report thereon.

The Senate took into consideration the motion made yesterday "that a committee be appointed to inquire what further and more effectual means ought to be provided by law for carrying the mail of the United States;" and it was agreed that Messrs. Jackson, Bradley, and Franklin, be the committee.



A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act for the relief of the marshals of certain districts therein mentioned," in which they desire the concurrence of the Senate. They have resolved to attend the funeral of Narsworthy Hunter, late a delegate to Congress from the Mississippi territory, to-morrow at twelve o'clock, and desire the attendance of the Senate. And he withdrew.

The bill mentioned in the message was read.

*Ordered,* That it pass to the second reading.

Mr. Logan presented the memorial and petition of the Illinois and Oubache land companies, signed William Smith and John Shee, the surviving committee on their behalf, praying Congress to devise some mode for a final investigation and decision of their claims, and the petition was read; and

On motion,

*Resolved,* That this petition be rejected.

Mr. Sumpter presented the petition of Baily and Walker and others, merchants, of Charleston, in the state of South Carolina, stating that they have sustained considerable losses by irregular and illegal captures from privateers and other armed vessels cruising under the flag of the French Republic, whilst in pursuit of their lawful commerce, and that, by the late convention ratified by the two governments, they are precluded from recurrence to the justice of the French nation for redress, and therefore praying relief from the government of the United States; and the petition was read.

*Ordered,* That it be referred to the committee appointed the 8th of February last, on petitions of a similar nature, to report thereon.

On motion,

*Resolved,* That the Senate will attend the funeral of Narsworthy Hunter, late delegate in the House of Representatives of the United States, to-morrow at 12 o'clock.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, MARCH 15, 1802.

Mr. Ellery reported, from the committee, that they had this day examined, and found duly enrolled, the bill, entitled "An act fixing the military peace establishment of the United States;" the bill, entitled "An act to amend an act, entitled 'An act to lay and collect a direct tax within the United States;'" the bill, entitled "An act for the accommodation of persons concerned in certain fisheries therein mentioned;" and the bill, entitled "An act for the relief of Francis Duchoquet."

Mr. Brown, from the committee to whom was referred, on the 16th of February last, the petition of John James Dufour, reported a bill to empower him and his associates to purchase certain lands; and the bill was read.

*Ordered,* That it pass to the second reading.

The bill, entitled "An act for the relief of the marshals of certain districts therein mentioned," was read the second time.

*Ordered,* That it be referred to Messrs. S. T. Mason, Cocke, and Logan, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the four enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, was read the second time and amended.

*Ordered,* That this bill lie for consideration.

Mr. Ellery reported, from the committee, that they had this day laid the four enrolled bills last reported to have been examined before the President of the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, MARCH 16, 1802.

Mr. Tracy, from the committee appointed the 18th of February last, on the subject, reported a bill for the better security of public money and property in the hands of public officers and agents; which was read.

*Ordered*, That this bill pass to the second reading.

The bill to empower John James Dufour and his associates to purchase certain lands was read the second time and amended.

*Ordered*, That this bill pass to the third reading as amended.

The Senate resumed the second reading of the bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

On motion,

*Ordered*, That it be recommitted to Messrs. Anderson, Tracy, and Brown, the committee who brought in the bill, further to report thereon.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, MARCH 17, 1802.

Mr. Bradley reported, from the committee to whom were referred, on the 4th inst. the several petitions of Samuel Blodget, Thomas Tolman, and Aaron Shepard, that the act lately passed, entitled "An act to amend an act, entitled 'An act to lay and collect a direct tax within the United States,'" hath made all the legislative provision in their judgment at present necessary; and, therefore, that the several petitioners have leave to withdraw their petitions; and the report was adopted.

The bill for the better security of public money and property in the hands of public officers and agents, was read the second time.

On motion,

*Ordered*, That the consideration of this bill be postponed.

The bill to empower John James Dufour and his associates to purchase certain lands was read the third time, and the blank in section 3d being filled with the word six,

*Resolved*, That this bill do pass, that it be engrossed, and that the title thereof be "An act to empower John James Dufour and his associates to purchase certain lands."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States did, on the 16th instant, approve and sign "An act fixing the military peace establishment of the United States;" "An act to amend an act, entitled 'An act to lay and collect a direct tax within the United States;'" "An act for the accommodation of persons concerned in certain fisheries therein mentioned;" and "An act for the relief of Francis Duchoquet." And he withdrew.

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, MARCH 18, 1802.

The Senate resumed the second reading of the bill for the better security of public money and property in the hands of public officers and agents.

On motion,

*Ordered*, That the further consideration of this bill be postponed until Monday next.

Mr. Colhoun presented the petition of Alexander Gardner and Thomas Pinckney, of South Carolina, praying compensation for two negroes, their property, stated to have been drowned in the public service; and the petition was read.

*Ordered*, That it be referred to Messrs. Colhoun, Baldwin, and Brown, to consider and report thereon.

Mr. Clinton, from the committee to whom was referred, on the 12th instant, the bill, entitled "An act for revising and amending the acts concerning naturalization," reported amendments; which were read.

*Ordered*, That they lie for consideration.

On motion, that it be

*Resolved*, That a committee be appointed to inquire whether any, and what, amendments are necessary to be made in the acts to establish the judicial courts of the United States; and that the committee have power to report by bill or otherwise:

It passed in the affirmative, Yeas 22.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Brown, Clinton, Cocke, Colhoun, Ellery, T. Foster, Dwight Foster, Franklin, Jackson, Logan, Morris, Nicholas, Ogden, Olcott, Ross, Sumpter, Tracy, Wells, and White.

*Ordered*, That Messrs. Anderson, Brown, Bradley, Nicholas, and Jackson, be the committee.



After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MARCH 19, 1802.

Mr. Anderson, from the committee to whom was recommitted, on the 16th instant, the bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, reported further amendments; which were read, and in part adopted, together with further amendments to the said bill: and,

On motion, to insert these words, section 16th, after the word "removal," "unless upon special cause to be certified by the commanding officer:"

It passed in the affirmative, { Yeas . . . . . 12,  
Nays . . . . . 8.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Dayton, T. Foster, Dwight Foster, Logan, Morris, Ogden, Olcott, Ross, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Clinton, Cocke, Franklin, Jackson, Nicholas, and Sump-  
ter.

*Ordered.* That this bill pass to the third reading as amended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to alter the times of holding the district court in the district of Maine," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

**Ordered, That it pass to the second reading.**

The Senate took into consideration the amendments yesterday reported by the committee to the bill, entitled "An act for revising and amending the acts concerning naturalization."

**On motion.**

**Ordered,** That they be the order of the day for Tuesday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

**MONDAY, MARCH 22, 1802.**

The bill to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, was read the third time.

\* On motion, it was agreed to amend section 14, and strike out "eighteen" and insert "twelve;" also, to amend 16th section after the word "than," and strike out "three" and insert "five;" also, to strike out, after the word "removal," the words "unless upon special causes to be certified by the commanding officer;" and, in the last section, to strike out all the words after "operate."

Whereupon,

*Resolved*, That this bill pass, that it be engrossed, and that the title thereof be "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Tracy, from the committee appointed the 15th of February, on the message of the President of the United States of 2d February last, reported, in part, a bill making appropriations for defraying the expense of a negotiation with the British government to ascertain the boundary line between the United States and Upper Canada; and the bill was read.

**Ordered,** That it pass to the second reading.

Mr. Jackson, from the committee appointed the 9th instant, on the bill for the rebuilding the light-house on Gurnet Point, at the entrance of Plymouth harbor, and for other purposes," reported amendments; which were read.

**Ordered, That they lie for consideration.**

The bill to alter the time of holding the district court in the district of Maine was read the second time.

Ordered, That it be referred to the committee appointed the 18th instant, on the subject of the judicial courts, to consider and report thereon.

Mr. Bradley notified the Senate that to-morrow he should ask leave to bring in a bill supplementary to the act, entitled "An act for the encouragement of learning, by se-

curing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned."

The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, MARCH 23, 1802.**

The Senate took into consideration the amendments reported yesterday to the bill for the rebuilding the light-house on Gurnet Point, at the entrance of Plymouth harbor, and for other purposes; and having adopted them, together with further amendments to the bill,

*Ordered*, That it pass to the third reading as amended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to repeal the internal taxes," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

*Ordered*, That it pass to the second reading.

The Senate resumed the second reading of the bill for the better security of public money and property in the hands of public officers and agents; and having agreed to sundry amendments,

*Ordered*, That the bill be recommitted to Messrs. Tracy, Nicholas, and Ogden, the committee who brought it in, further to consider and report thereon.

The Senate adjourned to 11 o'clock to-morrow morning.

**WEDNESDAY, MARCH 24, 1802.**

Mr. Logan presented the petition of John Hewson and others, callico printers, in the city of Philadelphia and its vicinity, praying legislative encouragement in the prosecution of that business; and the petition was read.

*Ordered*, That it lie on the table.

Agreeably to notice given on the 22d instant, Mr. Bradley had leave to bring in a bill supplementary to the act, entitled "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned;" and the bill was read.

*Ordered*, That it pass to the second reading.

The bill, entitled "An act to repeal the internal taxes," was read the second time.

*Ordered*, That it be referred to Messrs. Baldwin, Colhoun, Franklin, Cocke, and Clinton, to consider and report thereon.

The bill for the rebuilding the light-house on Gurnet Point, at the entrance of Plymouth harbor, and for other purposes, was read the third time.

On motion,

*Ordered*, That the further consideration of this bill be postponed until to-morrow.

The Senate resumed the consideration of the amendments reported by the committee on the 18th instant, to the bill for revising and amending the acts concerning naturalization.

On motion,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the bill sent from the Senate, entitled "An act to authorize the President of the United States to convey certain parcels of land therein mentioned." They have passed a bill making an appropriation for defraying the expenses which may arise from carrying into effect the convention made between the United States and the French Republic; also, a resolution authorizing the President of the Senate and the Speaker of the House of Representatives to adjourn their respective houses on the second Monday in April next; in which bill and resolution, respectively, they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

The resolution respecting an adjournment of the two Houses of Congress on the second Monday in April next was read and considered; and

*Ordered*, That the further consideration thereof be postponed until the 9th day of April next.

The Senate adjourned to 11 o'clock to-morrow morning.



THURSDAY, MARCH 25, 1802.

The bill making appropriations for defraying the expense of a negotiation with the British government to ascertain the boundary line between the United States and Upper Canada, was read the second time.

*Ordered*, That this bill pass to the third reading.

The bill supplementary to the act, entitled "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the times therein mentioned," was read the second time.

*Ordered*, That it be referred to Messrs. Bradley, Morris, and Tracy, to consider and report thereon.

The Senate resumed the third reading of the bill, entitled "An act for the rebuilding the light-house on Gurnet Point, at the entrance of Plymouth harbor; for rebuilding the light-house at the eastern end of New Castle Island; for erecting a light-house on Lynde's Point; and for other purposes;" which was further amended by adding these words to the amendment of 5th section, after the word "dollars" in the first instance, "for making the surveys," and by filling the blank therein with the words "ten thousand;" also, the blank in the new section adopted, with the words "thirty thousand;" and by amending the title to be read as follows: "An act authorizing the erection of certain light-houses, and for other purposes."

*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill making appropriations for defraying the expenses which may arise from carrying into effect the convention made between the United States and the French Republic, was read the second time.

*Ordered*, That it be referred to Messrs. Nicholas, Baldwin, and Anderson, to consider and report thereon.

On motion,

*Ordered*, That Mr. Tracy be on the committee to whom was referred, on the 8th of February last, the memorials of the merchants of the cities of Philadelphia, Alexandria, and Charleston, in place of Mr. Hillhouse, absent with leave.

The Senate resumed the consideration of the amendments to the bill for revising and amending the acts concerning naturalization; which were in part adopted; and

On motion,

*Ordered*, That the bill be recommitted to Messrs. Clinton, Logan, and Sumpter, the committee originally appointed on the bill, further to consider and report thereon.

Mr. Tracy, from the committee to whom was recommitted, on the 23d instant, the bill for the better security of public money and property in the hands of public officers and agents, reported further amendments; which were read.

*Ordered*, That they lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill sent from the Senate, entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers." And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MARCH 26, 1802.

Mr. Baldwin, from the committee to whom was referred, on the 24th instant, the bill, entitled "An act to repeal the internal taxes," reported amendments; which were read.

*Ordered*, That they lie for consideration.

The bill making appropriations for defraying the expense of a negotiation with the British government to ascertain the boundary line between the United States and Upper Canada, was read the third time; and, after filling the blank with the words *ten thousand*,

*Resolved*, That this bill do pass, that it be engrossed, and that the title thereof be "An act making appropriations for defraying the expense of a negotiation with the British government to ascertain the boundary line between the United States and Upper Canada."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Clinton, from the committee to whom was recommitted, on the 25th instant, the bill for revising and amending the acts concerning naturalization, reported further amendments; which were read.

*Ordered*, That they lie for consideration.

The Senate took into consideration the amendments reported by the committee, on the 25th instant, to the bill for the better security of public money and property in the hands of public officers and agents; which were further amended and agreed to.

*Ordered*, That this bill pass to the third reading as amended.

Mr. Nicholas, from the committee to whom was referred, on the 25th instant, a bill making appropriations for defraying the expenses which may arise from carrying into effect the convention made between the United States and the French Republic, reported it without amendment.

On motion,

*Ordered*, That the further consideration of this bill be postponed until Monday next.

Mr. Anderson, from the committee to whom the subject was referred on the 18th instant, reported a bill to provide for the more convenient organization of the courts of the United States; which was read.

*Ordered*, That this bill pass to the second reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill to revive and continue in force an act, entitled "An act to augment the salaries of the officers therein mentioned," passed the second day of March, one thousand seven hundred and ninety-nine; in which they desire the concurrence of the Senate. They have directed me to bring to the Senate a statement communicated to the House of Representatives by the President of the United States, with his message of the 17th ultimo; and to ask of the Senate, in exchange therefor, the roll of the persons having office or employment under the United States, which was communicated to them with a message of the same date. And he withdrew.

The bill last mentioned was read.

*Ordered*, That it pass to the second reading.

On motion,

*Ordered*, That the Secretary do carry to the House of Representatives the roll of the persons having office or employment under the United States, as requested in the above recited message.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### SATURDAY, MARCH 27, 1802.

The bill to revive and continue in force an act, entitled "An act to augment the salaries of the officers therein mentioned," passed the second day of March, one thousand seven hundred and ninety-nine, was read the second time.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of United Brethren for propagating the gospel among the Heathen;" in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

*Ordered*, That it pass to the second reading.

The Senate took into consideration the amendments yesterday reported by the committee to the bill to repeal the internal taxes; and the amendments were in part adopted.

On the question, Will the Senate adopt that part of the report of the committee which goes to strike out the eighth section of the bill?

It passed in the negative, { Yeas . . . . . 8,  
  { Nays . . . . . 17.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Baldwin, Breckinridge, Clinton, Cocke, Colhoun, Franklin, Jackson, and Sumpter.

Those who voted in the negative, are,

Messrs. Anderson, Bradley, Dayton, Ellery, T. Foster, Dwight Foster, Howard, Logan, S. T. Mason, Morris, Nicholas, Ogden, Olcott, Ross, Tracy, Wells, and White.

On motion, to amend the 8th section, to be read as follows:—

*And be it further enacted*, That all persons who shall, on or before the 30th day of June next, have any blank vellum, parchment, or paper, which has been stamped by the superintendent of stamps, and counter-stamped by the commissioner of the reve-



**The Senate adjourned to 11 o'clock on Monday morning.**

The yeas and nays being required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Clinton, Cocke, Colhoun, Dayton, Ellery, T. Foster, Dwight Foster, Franklin, Howard, Logan, S. T. Mason, J. Mason, Morris, Nicholas, Ogden, Olcott, Ross, Sumpter, Tracy, Wells, and White.

Those who voted in the negative, are,  
Messrs. Bradley and Jackson.

So it was

*Resolved*, That this bill pass, that it be engrossed, and that the title thereof be "An act for the better security of public money and property in the hands of public officers and agents."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

The Secretary of State charged with the civil affairs of the several territories of the United States, has received from the marshal of Columbia a statement of the condition, unavoidably distressing, of the persons committed to his custody on civil or criminal process, and the urgency for some legislative provisions for their relief. There are other important cases wherein the laws of the adjoining states, under which the territory is placed, though adapted to the purposes of those states, are insufficient for those of the territory, from the dissimilar or defective organization of its authorities. The letter and statement of the marshal, and the disquieting state of the territory, generally, are now submitted to the wisdom and consideration of the legislature.

TH. JEFFERSON.

March 29, 1802.

The message and papers therein referred to were read.

*Ordered*, That they be committed to Messrs. Morris, S. T. Mason, and Howard, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill for the relief of Isaac Zane; also, a bill to amend an act, entitled "An act to retain a further sum on drawbacks for the expenses incident to the allowance and payment thereof, and in lieu of stamp duties on debentures;" in which bills they desire the concurrence of the Senate. And he withdrew.

The Senate resumed the second reading of the bill to revive and continue in force an act, entitled "An act to augment the salaries of the officers therein mentioned," passed the 2d day of March, one thousand seven hundred and ninety-nine.

*Ordered*, That it be referred to Messrs. T. Foster, Clinton, and Tracy, to consider and report thereon.

The bill for the more convenient organization of the courts of the United States was read the second time.

On motion,

It was agreed that this bill be the order of the day for Thursday next.

The bill in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," was read the second time.

*Ordered*, That it be referred to Messrs. Franklin, Breckinridge, and Sumpter, to consider and report thereon.

The bill for the relief of Isaac Zane was read, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to the committee last mentioned, to consider and report thereon.

The bill last mentioned in the message from the House of Representatives last recited was read.

*Ordered*, That it pass to the second reading.

On motion that it be

*Resolved*, That the Secretary of the War Department be requested to prepare and lay before this House a statement of the expenses actually incurred in support of the late military establishment for the last year, for which accounts have been rendered; and likewise, an estimate of the sums necessary to defray the first year's expenses of the present military peace establishment:

*Ordered*, That this motion lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.



|                                       |                  |     |
|---------------------------------------|------------------|-----|
| It was determined in the affirmative, | { Yeas . . . . . | 15, |
|                                       | { Nays . . . . . | 11. |

The yeas and nays being required by one fifth of the Senators present,  
Those who voted in the affirmative, are,  
Messrs. Anderson, Baldwin, Bradley, Breckinridge, Clinton, Cocke, Colhoun, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, and Sumpter.  
Those who voted in the negative, are,  
Messrs. Dayton, D. Foster, Howard, J. Mason, Morris, Ogden, Olcott, Ross, Tracy, Wells, and White.

So it was

*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, APRIL 1, 1802.

Mr. S. T. Mason, from the committee to whom was referred, on the 15th March last, the bill for the relief of the marshals of certain districts therein mentioned, reported it without amendment.

The bill, entitled "An act making an appropriation for defraying the expenses which may arise from carrying into effect the convention made between the United States and the French Republic, was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary notify to the House of Representatives the concurrence.

The bill, entitled "An act making a partial appropriation for the support of government during the year one thousand eight hundred and two," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate therein.

On motion,

*Ordered*, That the second reading of the bill for the more convenient organization of the courts of the United States, the order of this day, be postponed until to-morrow.

The Senate took into consideration the amendments reported by the committee to whom was recommitted the bill for revising and amending the acts concerning naturalization; and having adopted the amendments, and further amended the bill,

*Ordered*, That it pass to the third reading as amended.

The Senate took into consideration the amendments reported by the committee to the bill supplementary to the act, entitled "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned;" and having agreed thereto,

*Ordered*, That the bill pass to the third reading as amended.

The bill, entitled "An act for the relief of Isaac Zane," was read the third time, as amended, by striking out the word "that," in the last line of the second section.

*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the bill sent from the Senate, entitled "An act making appropriation for defraying the expense of a negotiation with the British government to ascertain the boundary line between the United States and Upper Canada. They agree to some and disagree to other amendments of the Senate to the bill, entitled "An act for the rebuilding the light-house on Gurnet Point, and for other purposes." And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, APRIL 2, 1802.

The Senate resumed the second reading of the bill for the relief of the marshals of certain districts therein mentioned.

On motion,

*Ordered*, That this bill pass to the third reading.

The Senate took into consideration their amendments, disagreed to by the House of Representatives, to the bill for the rebuilding the light-house on Gurnet Point, and for other purposes.



It was determined in the affirmative,

|                  |     |
|------------------|-----|
| { Yeas . . . . . | 18, |
| { Nays . . . . . | 8.  |

The yeas and nays being required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,  
Messrs. Anderson, Baldwin, Bradley, Breckinridge, Clinton, Cocke, Colhoun, Ellery,  
T. Foster, Franklin, Jackson, Logan, S. T. Mason, Morris, Nicholas, Ross, Sumpter,  
and White.

Those who voted in the negative, are,  
Messrs. Dayton, Dwight Foster, Howard, J. Mason, Ogden, Olcott, Tracy, and Wells.  
*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Beckley, their Clerk.

*Mr. President*: The House of Representatives have passed a bill declaring the assent of Congress to an act of the General Assembly of Virginia, therein mentioned, in which they desire the concurrence of the Senate. They concur in the amendments of the Senate to the bill, entitled "An act to repeal the internal taxes." The President of the United States this day approved and signed "An act making a partial appropriation for the support of government during the year 1802;" "An act for the relief of Isaac Zane;" and "An act making an appropriation for defraying the expenses which may arise from carrying into effect the convention made between the United States and the French Republic." And he withdrew.

The bill first mentioned in the message was read.

*Ordered*, That it pass to the second reading.

A message from the President of the United States, by Mr. Lewis, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act making appropriation for defraying the expense of negotiating with the British government, to ascertain the boundary line between the United States and Upper Canada."

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act for the relief of the marshals of certain districts therein mentioned," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, APRIL 5, 1802.

Mr. Ellery reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act to repeal the internal taxes;" the bill, entitled "An act authorizing the erection of certain light houses, and for other purposes," and the bill, entitled "An act for the relief of the marshals of certain districts therein mentioned."

Mr. Anderson, from the committee to whom was recommitted, on the 2d instant, the bill to provide for the more convenient organization of the courts of the United States, reported amendments, which were read.

*Ordered*, That they lie for consideration.

The bill declaring the assent of Congress to an act of the General Assembly of Virginia, therein mentioned, was read the second time.

*Ordered*, That it be referred to Messrs. Nicholas, Stone, and Clinton, to consider and report thereon.

The Senate resumed the third reading of the bill, entitled "An act to repeal in part the act, entitled "An act regulating foreign coins, and for other purposes."

*Ordered*, That the further consideration thereof be postponed.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act authorizing the settlement of the account of Samuel Dexter, for his expense in defending against the suit of Joseph Hodgson." The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the three enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.



Mr. Ellery reported, from the committee, that they had this day laid before the President of the United States the three bills last mentioned.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, APRIL 6, 1802.**

Mr. Ellery reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act to authorize an advance of money to Samuel Dexter."

Mr. Bradley presented the petition of Elijah Brainard, a disabled soldier during the Revolutionary war, and praying relief.

*Ordered*, That the petition be referred to Messrs. Bradley, Anderson, and Dwight Foster, to consider and report thereon.

On motion, that it be

*Resolved*, That ——— be a committee, to join with such committee as the House of Representatives may appoint on their part, to consider and report what business is necessary to be done by Congress in their present session, and when it may be expedient to close the same:

*Ordered*, That this motion lie for consideration.

The Senate took into consideration the amendments reported by the committee to the bill to provide for the more convenient organization of the courts of the United States; and, having agreed thereto,

*Ordered*, That this bill pass to the third reading as amended.

On motion, that it be

*Resolved*, That a committee be appointed to inquire whether any, and, if any, what, provisions and regulations are necessary in addition to the several acts providing for the sale of the lands of the United States, and that the said committee have leave to report by bill or bills:

*Ordered*, That this motion lie for consideration.

Mr. T. Foster, from the committee to whom was referred, on the 29th of March last, the bill to revive and continue in force an act, entitled "An act to augment the salaries of the officers therein mentioned," passed the 2d day of March, 1799, reported it without amendment.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill further to alter and establish certain post roads; also, a bill for the relief of Paolo Paoly; in which bills they desire the concurrence of the Senate. The President of the United States hath this day approved and signed "An act to repeal the internal taxes;" "An act for the relief of the marshals of certain districts therein mentioned;" and "An act authorizing the erection of certain light-houses, and for other purposes." The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill first mentioned in the message above recited was read, and, by unanimous consent, was read a second time.

*Ordered*, That it be referred to Messrs. Jackson, Bradley, and Franklin, to consider and report thereon.

The bill for the relief of Paolo Paoly was read the first, and, by unanimous consent, a second time.

*Ordered*, That it be referred to Messrs. Bradley, Dwight Foster, and Wells, to consider and report thereon.

The committee to whom was referred the letter of Simon Willard to the Secretary of the Senate, relative to a clock made by the said Willard for the use of the Senate, reported

A letter from John E. Rigden, a watch and clock maker of this city, which declares, as his opinion, that five hundred dollars will be an ample and liberal reward for such a time piece; and the committee recommend the following resolution:

*Resolved*, That Simon Willard be paid, by the Secretary of the Senate, the sum of five hundred dollars for an eight day clock, set up in the Senate room, and purchased of him, agreeably to a resolution of the 25th of February, 1801, to be defrayed out of the contingent fund; and the report was adopted.

On motion, that it be

*Resolved*, That the Secretary of the Navy be requested to prepare and lay before the Senate a statement of the expenses actually incurred in support of the corps of marines for the last year, distinguishing the number and expense of the officers of each grade:

*Ordered*, That this motion lie for consideration.

The Senate resumed the consideration of the bill regulating foreign coins; and

On motion,

*Ordered*, That it be postponed to Monday next.

The motion made on the 29th of March, for a statement from the Secretary of War, was resumed, and sundry amendments proposed; and

On motion,

It was agreed that the further consideration thereof be postponed.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, APRIL 7, 1802.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act for the relief of Thomas K. Jones," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read the first time, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to Messrs. J. Mason, Dwight Foster, and Ogden, to consider and report thereon.

Mr. J. Mason, from the committee to whom was referred, on the 30th of March last, the bill to amend an act, entitled "An act to retain a further sum on drawbacks for the expenses incident to the allowance and payment thereof, and in lieu of stamp duties on debentures," reported it without amendment.

*Ordered*, That this bill pass to the third reading.

Mr. Nicholas, from the committee to whom was referred, on the 5th instant, the bill declaring the assent of Congress to an act of the General Assembly of Virginia therein mentioned, reported it without amendment.

*Ordered*, That this bill pass to the third reading.

Mr. Franklin, from the committee to whom was referred, on the 29th of March last, the bill in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," reported it without amendment.

On motion,

It was agreed to amend the bill, by adding the word "heretofore," fourth section, line 1st, after the word "certificates."

*Ordered*, That this bill pass to the third reading as amended.

Mr. Ogden presented the petition of Jonathan Snowden, a lieutenant in colonel Lee's legion during the Revolutionary war; and a captain in the army late under the command of General St. Clair, wounded in the public service, and praying to be put on the pension or half pay list; and the petition was read.

*Ordered*, That it be referred to Messrs. Bradley, Anderson, and Dwight Foster, the committee appointed on the petition of Elijah Brainard, the 6th instant, to consider and report thereon.

The Senate resumed the second reading of the bill to revive and continue in force an act, entitled "An act to augment the salaries of the officers therein mentioned," passed the second day of March, 1799.

On motion,

To amend the bill, by striking out, from the word "assembled," in the second line, to the end of the bill, and insert: "that in lieu of the salaries at present allowed by law to the officers of the government of the United States herein mentioned, the following annual compensations be, and are hereby, granted to the said officers respectively, from the ———— that is to say:

|                                 |          |
|---------------------------------|----------|
| The Secretary of State          | dollars, |
| The Secretary of the Treasury   | dollars, |
| The Secretary of War            | dollars, |
| The Secretary of the Navy       | dollars, |
| The Attorney General            | dollars, |
| The Comptroller of the Treasury | dollars, |



|                                       |          |
|---------------------------------------|----------|
| The Treasurer                         | dollars, |
| The Auditor of the Treasury           | dollars, |
| The Commissioner of the Revenue       | dollars, |
| The Register of the Treasury          | dollars, |
| The Accountant of the War Department  | dollars, |
| The Accountant of the Navy Department | dollars, |
| The Postmaster General                | dollars, |
| And the Assistant Postmaster General  | dollars. |

"SEC. 2. *And be it further enacted,* That this act shall continue in force for ——— and no longer:"

It passed in the negative, { Yeas . . . . . 9,  
  { Nays . . . . . 16.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Dayton, Dwight Foster, Howard, J. Mason, Ogden, Olcott, Ross, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, Nicholas, Stone, Sumpter, and Wright.

*Ordered,* That this bill pass to the third reading.

The Senate took into consideration the motion made yesterday on the subject of western lands, which, being amended, was agreed to as follows:

*Resolved,* That a committee be appointed to inquire whether any, and, if any, what, provisions and regulations are necessary in addition to the several acts providing for the sale of the lands of the United States northwest of the river Ohio, and that Messrs. Brown, Ross, and Franklin, be the committee, and that the said committee have leave to report by bill or bills.

On motion, that it be

*Resolved,* That a committee be appointed to examine and report what regulations ought to be adopted respecting the lands claimed by the United States within the state of Tennessee, and that the said committee do report by bill or otherwise:

*Ordered,* That this motion lie until to-morrow for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, APRIL 8, 1802.

On request, by Mr. Bradley, Mr. Colhoun had leave of absence after Monday next, to the end of the session.

Mr. J. Mason, from the committee to whom was referred, on the 7th instant, the bill, entitled "An act for the relief of Thomas K. Jones," reported it without amendment.

*Ordered,* That this bill pass to the third reading.

The Senate took into consideration the motion made yesterday that a committee be appointed to examine and report what regulations ought to be adopted respecting the lands claimed by the United States within the state of Tennessee.

And, on the question, Will the Senate adopt this motion?

It passed in the affirmative, { Yeas . . . . . 21,  
  { Nays . . . . . 2.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Baldwin, Bradley, Breckinridge, Brown, Clinton, Ellery, T. Foster, Dwight Foster, Franklin, Howard, Jackson, Logan, J. Mason, Morris, Nicholas, Ogden, Olcott, Ross, Stone, Sumpter, Wells, and Wright.

Those who voted in the negative, are,

Messrs. Anderson and Cocke.

*Ordered,* That Messrs. Brown, Stone, Breckinridge, Ross, and Nicholas, be the committee.

The bill for the more convenient organization of the courts of the United States, was read the third time, and amended, by adding at the end of section 4th, line 80th of the printed bill, the words, "except as herein after excepted:" and between the 5th and 6th sections of the printed bill, a new section; and section 6th, line 4th, after the word "circuit," insert "or district;" and line 6th, after "circuit," insert "and district." Section 11th, line 7th, original bill, before the word "juror," insert "petit;" section 17th,

line 2d, by inserting "of east and west Tennessee," and striking out the words "hereby established," and by adding a new section to the end of the bill.

And on motion to strike out the 11th section of the original bill, as amended, to wit:

*And be it further enacted*, That there shall be appointed, by the President of the United States, from time to time, as many general commissioners of bankruptcy in each district of the United States as he may deem necessary: And upon petition to the judge of a district court for a commission of bankruptcy, he shall proceed as is provided in and by an act, entitled "An act to establish an uniform system of bankruptcy throughout the United States," and appoint not exceeding three of the said general commissioners, as commissioners of the particular bankrupt petitioned against; and the said commissioners, together with the clerk, shall each be allowed, as a full compensation for their services, when sitting and acting under their commissions, at the rate of six dollars per day, for every day which they may be employed in the same business, to be apportioned among the several causes on which they may act on the same day, and to be paid out of the respective bankrupts' estate: *Provided*, That the commissioners who may have been, or may be, appointed, in any district, before notice shall be given of the appointment of commissioners for such district by the President, in pursuance of this act, and who shall not then have completed their business, shall be authorized to proceed and finish the same, upon the terms of their original appointment:

It passed in the negative, { Yeas . . . . . 11,  
Nays . . . . . 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Dayton, Dwight Foster, Howard, J. Mason, Ogden, Olcott, Ross, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

And it was agreed to amend the title of the bill as follows: An act to amend the judicial system of the United States.

And, on the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 16,  
Nays . . . . . 10.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Bradley, Dayton, Dwight Foster, Howard, J. Mason, Ogden, Olcott, Ross, Wells, and White.

So it was

*Resolved*, That this bill do pass, that it be engrossed, and that the title thereof be "An act to amend the judicial system of the United States."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, entitled "An act to revive and continue in force an act, entitled 'An act to augment the salaries of the officers therein mentioned,' passed the second day of March, one thousand seven hundred and ninety-nine," was read the third time.

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 23,  
Nays . . . . . 2.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Dayton, Ellery, T. Foster, Franklin, Howard, Jackson, Logan, S. T. Mason, J. Mason, Nicholas, Ogden, Stone, Sumpter, Wells, White, and Wright.

Those who voted in the negative, are,

Messrs. Dwight Foster and Olcott.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, entitled "An act in addition to an act, entitled 'An act in addition to an



act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," was considered.

*Ordered*, That it be postponed until to-morrow.

The bill, entitled "An act to amend an act, entitled 'An act to retain a further sum on drawbacks for the expenses incident to the allowance and payment thereof, and in lieu of stamp duties on debentures,'" was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary notify to the House of Representatives the concurrence of the Senate in this bill.

The bill, entitled "An act declaring the assent of Congress to an act of the General Assembly of Virginia therein mentioned," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary notify to the House of Representatives the concurrence of the Senate in this bill.

Mr. Bradley, from the committee to whom was referred, on the 6th instant, the bill, entitled "An act for the relief of Paolo Paoly," reported it without amendment.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, APRIL 9, 1802.

The Senate resumed the second reading of the bill, entitled "An act for the relief of Paolo Paoly."

*Ordered*, That this bill pass to the third reading.

The Senate resumed the second reading of the bill in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."

On motion,

*Ordered*, That this bill be recommitted to Messrs. Franklin, Breckinridge, and Sumpter, the original committee, further to consider and report thereon.

The Senate resumed the consideration of the resolution of the House of Representatives, of the 24th March last, authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective houses on the second Monday in April; and agreed that it should be postponed.

The Senate took into consideration the motion made on the 6th instant, that a committee be appointed, to join with such committee as the House of Representatives may appoint, on their part, to consider and report what business is necessary to be done by Congress, in their present session, and when it may be expedient to close the same; and having agreed thereto,

*Ordered*, That Messrs. Olcott, Breckinridge, and Baldwin, be the committee on the part of the Senate.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives, and the appointment of a committee on their part.

The bill, entitled "An act for the relief Thomas K. Jones," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary notify to the House of Representatives the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union, on an equal footing with the original states, and for other purposes; in which they desire the concurrence of the Senate. They agree to the amendments of the Senate to the bill for revising and amending the acts concerning naturalization, with amendments, in which they desire the concurrence of the Senate. And he withdrew.

The bill first mentioned in the message was read.

*Ordered*, That it pass to the second reading.

The Senate took into consideration the amendments of the House of Representatives to their amendments to the bill last mentioned in the message.

*Resolved*, That they do concur therein.

*Ordered*, That the Secretary notify the concurrence to the House of Representatives.

Mr. Bradley gave notice that he should, on Monday next, move for leave to bring in a bill to alter the term of the district court for the district of Vermont, and for other purposes.

Mr. S. T. Mason gave notice that, on Monday next, he should ask leave to bring in a bill respecting the District of Columbia.

On motion, that it be

*Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be, and he is hereby, directed to cause to be printed — copies of the journal, deposited in his office, of the proceedings of the general convention which formed the constitution of the United States, and to cause the same to be distributed as the laws of the United States have heretofore been:*

*Ordered, That this motion lie for consideration.*

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, APRIL 12, 1802.

On request, by Mr. J. Mason. Mr. Ross had leave of absence for the remainder of the session.

Mr. Ellery reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act to revive and continue in force an act, entitled 'An act to augment the salaries of the officers therein mentioned,' passed the second day of March, one thousand seven hundred and ninety-nine;" the bill, entitled "An act declaring the assent of Congress to an act of the general assembly of Virginia therein mentioned;" the bill, entitled "An act to amend an act, entitled 'An act to retain a further sum on drawbacks for the expenses incident to the allowance and payment thereof, and in lieu of stamp duties on debentures,'" the bill, entitled "An act for the relief of Thomas K. Jones;" and the bill, entitled "An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill for the relief of Theodosius Fowler; also, a bill for the relief of Paul Coulon; in which bills they desire the concurrence of the Senate. They concur in the resolution of the Senate for the appointment of a joint committee to consider and report what business is necessary to be done by Congress in their present session, and when it may be expedient to close the same; and have appointed a committee on their part. The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the five enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill for the relief of Theodosius Fowler was read the first, and, by unanimous consent, a second time.

*Ordered, That it be referred to Messrs. J. Mason, Breckinridge, and Ellery, to consider and report thereon.*

The bill for the relief of Paul Coulon was read.

*Ordered, That it pass to the second reading.*

The bill to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes, was read the second time.

*Ordered, That it be referred to Messrs. Franklin, Bradley, Dayton, Brown, and Baldwin, to consider and report thereon.*

The bill, entitled "An act for the relief of Paolo Paoly," was read the third time.

*Resolved, That this bill do pass.*

*Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.*

The Senate took into consideration the motion made on the 9th instant, for printing the journal of the proceedings of the general convention which formed the constitution of the United States; and

*Ordered, That it be postponed until Wednesday next.*

Agreeably to notice given, on the 9th instant, Mr. Bradley had leave to bring in a bill to alter the sessions of the district court for the district of Vermont, and for other purposes; and the bill was read.

On motion,

It was agreed, by unanimous consent, that this bill be now read the second time.



*Ordered*, That it be referred to Messrs. Bradley, Ogden, and T. Foster, to consider and report thereon.

The following motion was made by Mr. Clinton, and seconded, and

*Ordered*, To lie for consideration.

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following article be proposed to the legislatures of the several states, as an amendment to the constitution of the United States, which, when ratified by three-fourths of the said legislatures, shall be valid as part of the constitution, to wit:

That in all elections of President and Vice President, the persons voted for shall be particularly designated, by declaring which is voted for as President, and which as Vice President.

Agreeably to notice given on the 9th instant, Mr. S. T. Mason obtained leave to bring in a bill for establishing the government of the territory of Columbia.

And the bill was read.

*Ordered*, That it pass to the second reading.

Mr. Brown, from the committee appointed the 8th instant, on the subject of the lands of the United States in the state of Tennessee, reported the following resolution: which was read, and ordered to lie for consideration:

*Resolved*, That the President of the United States be requested to give directions to the Attorney General to collect, digest, and report to Congress, at their next session, such documents and other information relative to the lands claimed by the United States within the state of Tennessee, under a deed of cession from the state of North Carolina, executed in December, 1789, as shall best serve to exhibit the extent of the claims reserved by the second condition expressed in said deed; and how far the said reservations have been satisfied: also, the situation and probable quantity of said lands which may be at the disposition of the United States, consistently with the conditions of the said deed of cession, and with existing treaties with the Indian tribes.

The Senate took into consideration the resolution of the House of Representatives of the 24th March last, that the President of the Senate and Speaker of the House of Representatives be authorized to adjourn their respective houses on the 12th inst.; and,

*Resolved*, That they do not agree thereto.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The Senate took into consideration the motion made on the 6th instant, requesting the Secretary of the Navy to prepare a statement of the expenses of the marine corps; and the motion was amended and adopted as follows:

*Resolved*, That the Secretary of the Navy be requested to prepare and lay before the Senate an estimate of the expenses of the marine corps for the last year, distinguishing the number and expense of the officers of each grade.

The Senate resumed the third reading of the bill, entitled "An act to repeal, in part, the act, entitled 'An act regulating foreign coins, and for other purposes.'"

*Ordered*, That the further consideration of this bill be postponed until Monday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, APRIL 13, 1802.

Mr. Ellery reported, from the committee, that they had this day examined and found duly enrolled the bill entitled "An act for the relief of Paolo Paoly."

Mr. Olcott, from the joint committee appointed, on the 9th instant, to consider what business is necessary to be done by Congress in their present session, and when it may be expedient to close the same, made report; which was read.

*Ordered*, That it lie for consideration.

The bill for establishing the government of the territory of Columbia was read the second time.

*Ordered*, That it be referred to Messrs. S. T. Mason, Wright, and Baldwin, to consider and report thereon.

The bill, entitled "An act for the relief of Paul Coulon," was read the second time.

*Ordered*, That it be referred to Messrs. Franklin, Ellery, and Logan, to consider and report thereon.

Mr. Franklin, from the committee to whom was recommitted, on the 9th instant, the bill in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," reported amendments; which were read.

*Ordered*, That they lie for consideration.

The Senate took into consideration the motion, made yesterday, for an amendment to the constitution of the United States.

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate took into consideration the report of the committee, made yesterday, respecting the lands claimed by the United States within the state of Tennessee.

*Ordered*, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, APRIL 14, 1802.

Mr. Ellery reported, from the committee, that they did yesterday lay the seven enrolled bills last reported to have been examined before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk;

*Mr. President*: The House of Representatives have passed a bill to amend an act, entitled "An act for the relief of sick and disabled seamen," and for other purposes; in which they desire the concurrence of the Senate. They have passed the bill, sent from the Senate, entitled "An act for the better security of public money and property in the hands of public officers and agents," with amendments; in which they desire the concurrence of the Senate. And he withdrew.

The bill first mentioned in the message was read.

*Ordered*, That it pass to the second reading.

The amendments to the bill last mentioned in the message were read.

*Ordered*, That they lie for consideration.

The Senate resumed the consideration of the motion made on the 12th instant, for an amendment to the constitution of the United States.

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate resumed the consideration of the report of the committee, made on the 12th instant, respecting the lands claimed by the United States within the state of Tennessee; and,

On motion to amend it, by inserting after the word "lands," these words, line 10th, "to which the Indian claim is extinguished, and which is not covered by legal titles under the state of North Carolina:"

*Ordered*, That the further consideration thereof be postponed until to-morrow.

Mr. J. Mason, from the committee to whom was referred, on the 12th instant, the bill for the relief of Theodosius Fowler, reported it without amendment; and, after debate,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The amendments reported by the committee to the bill in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen," were considered; and, after progress,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, APRIL 15, 1802.

Mr. Jackson, from the committee to whom was referred, on the 6th instant, the bill, entitled "An act further to alter and establish certain post roads," reported amendments; which were read.

*Ordered*, That they lie for consideration.

The Vice President laid before the Senate a report from the Secretary of the Navy, being an estimate of the expenses of the marine corps for the year 1801; which was read.

*Ordered*, That it lie for consideration.

The Senate considered the amendments of the House of Representatives to the bill, entitled "An act for the better security of public money and property in the hands of public officers and agents."



*Ordered*, That they be referred to Messrs. Tracy, Nicholas, and Ogden, the committee who brought in the bill, to report thereon.

The Senate resumed the second reading of the bill for the relief of Theodosius Fowler.

On motion,

*Ordered*, That this bill be postponed.

On motion, that it be

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Comptroller of the Treasury be, and he is hereby, directed to obtain a continuance or continuances of the suit in favor of the United States against Theodosius Fowler, now pending before the Circuit Court, in and for the district of New York, until the session of said court which shall be first held after the next meeting of Congress: And in the mean time the accounting officers of the Treasury are directed to resettle and state the accounts of the United States against Theodosius Fowler, upon his contract made with the Secretary of the Treasury, on \_\_\_\_\_ day of \_\_\_\_\_ giving to said Fowler at least thirty days notice of the time when he may attend, and produce such claims, vouchers, documents, and testimony, as he may choose; and after fully attending to said accounts, and the claims, &c. of said Fowler, they are directed to make report of their proceedings thereon to Congress, at their next session:

*Ordered*, That this motion lie for consideration.

The motion made on the 9th instant, that the Secretary of State cause the journals of the general convention who formed the constitution of the United States to be printed, was further postponed.

The bill, entitled "An act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen,'" was read the third time.

*Resolved*, That this bill do pass with the following amendments:

Section 1, line 3, after the word "act," insert "and until the first day of January next."

Line 4, after the word "warrants," insert "heretofore."

Line 4, after the word "or," insert "registers."

Line 5, strike out the word "by," and insert "agreeable to."

Line 10, after the word "the," in the second instance, strike out, to the end of the section, and insert as follows:

"Same manner and under the same restrictions as might have been done before the first day of January last, provided that persons holding registers' certificates for a less quantity than one hundred acres may locate the same on such parts of fractional townships as shall, for that purpose, be divided by the Secretary of the Treasury into lots of fifty acres each."

Strike out 2d, 3d, 4th, 5th, 6th, 7th, and 8th sections, and insert a new section.

"*And be it further enacted*, That it shall be the duty of the Secretary of War to receive claims to lands for military services, and claims for duplicates of warrants issued from his office, or from the land office of Virginia, or of plats and certificates of surveys founded on such warrants, suggested to have been lost or destroyed, until the first day of January next, and no longer, and immediately thereafter to report the same to Congress, designating the numbers of claims of each description, with his opinion thereon."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The motion made yesterday, to amend the resolution under consideration on the 12th instant respecting the lands claimed by the United States within the state of Tennessee, was resumed, to wit: To insert, after the word "lands," in the second instance, these words: "to which the Indian claim is extinguished, and which is not covered by legal titles under the state of North Carolina."

And on the question, Will the Senate agree to this amendment?

It passed in the negative, { Yeas . . . . . 5,  
  { Nays . . . . . 20.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Cocke, Nicholas, Tracy, and White.

Those who voted in the negative, are,

Messrs. Baldwin, Bradley, Breckinridge, Brown, Colhoun, Dayton, Ellery, T. Foster, Dwight Foster, Franklin, Howard, Jackson, S. T. Mason, J. Mason, Ogden, Olcott, Stone, Sumpter, Wells, and Wright.

On motion to adopt the resolution,

It passed in the affirmative, { Yeas . . . . . 23,  
   { Nays . . . . . 2.

The yeas and nays being required by one-fifth of the Senators present,  
 Those who voted in the affirmative, are,

Messrs. Baldwin, Bradley, Breckinridge, Brown, Colhoun, Dayton, Ellery, T. Foster, Dwight Foster, Franklin, Howard, Jackson, S. T. Mason, J. Mason, Nicholas, Ogden, Olcott, Stone, Sumpter, Tracy, Wells, White, and Wright.

Those who voted in the negative, are,

Messrs. Anderson and Cocke.

So the resolution was agreed to.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill making provision for the redemption of the whole of the public debt of the United States in which they desire the concurrence of the Senate. The President of the United States yesterday approved and signed "An act for the relief of Thomas K. Jones;" "An act for the relief of Paolo Paoly;" "An act to authorize an advance of money to Samuel Dexter;" "An act declaring the assent of Congress to an act of the General Assembly of Virginia therein mentioned;" "An act to revive and continue in force an act, entitled 'An act to augment the salaries of the officers therein mentioned,' passed the second day of March, one thousand seven hundred and ninety-nine;" "An act to amend an act, entitled 'An act to retain a further sum on drawbacks for expenses incident to the allowance and payment thereof, and in lieu of stamp duties on debentures,'" and, "An act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject." And he withdrew.

The bill first mentioned in the message was read.

On motion,

It was agreed, by unanimous consent, that it be now read the second time.

*Ordered*, That it be referred to Messrs. Baldwin, Breckinridge, Nicholas, Tracy, and Logan, to consider and report thereon.

The bill, entitled "An act to amend an act, entitled 'An act for the relief of sick and disabled seamen, and for other purposes,'" was read the second time.

*Ordered*, That it be referred to Messrs. Baldwin, Dwight Foster, and Tracy, to consider and report thereon.

*Ordered*, That the consideration of the motion made on the 12th instant, relative to an amendment to the constitution of the United States, be postponed until Monday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, APRIL 16, 1802.

Mr. Franklin, from the committee to whom was referred, on the 13th instant, the bill for the relief of Paul Coulon, reported it without amendment.

*Ordered*, That the consideration of this bill be postponed until to-morrow.

On motion, by Mr. Bradley, that it be

*Resolved*, by the Senate and House of Representatives of the United States, two-thirds of both Houses concurring, That the following article be proposed to the legislatures of the several states, as amendments to the constitution of the United States:

That, after the third day of March, in the year one thousand eight hundred and three, the choice of electors of President and Vice President of the United States shall be made by dividing each state into a number of districts, equal to the number of electors to be chosen in such state, and by the persons in each of those districts who shall have the qualifications requisite for electors of the most numerous branch of the legislature of such state choosing one elector, in the manner which the legislature thereof shall prescribe:

*Ordered*, That this motion lie for consideration until Monday next.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill to provide for the establishment of certain districts, and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," and for other purposes; a bill to abolish the board of commissioners in the city of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city; a bill to regulate and fix the compensations of the officers of the Senate and House of Representatives; a bill for the relief of Fulwar Skipwith; and a bill for the relief of Lewis Tousard; in which bills they desire the concurrence of the Senate. And he withdrew.



The bills were read.

*Ordered*, That they severally pass to the second reading.

On motion,

It was agreed, by unanimous consent, that the bill to regulate and fix the compensations of the officers of the Senate and House of Representatives, be now read the second time.

*Ordered*, That it be referred to Messrs. Cocke, Dwight Foster, and Bradley, to consider and report thereon.

Mr. Wright, from the committee to whom was referred, on the 13th instant, the bill for establishing the government of the territory of Columbia, reported amendments, which were read.

*Ordered*, That they lie for consideration.

The amendments reported to the bill, entitled "An act to alter and establish certain post roads," were considered and adopted, together with further amendments.

*Ordered*, That this bill pass to the third reading as amended.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill for the relief of Lewis Tousard be now read the second time.

*Ordered*, That it be referred to Messrs. Breckinridge Anderson, and Ogden, to consider and report thereon.

On motion,

It was agreed, by unanimous consent, that the bill to abolish the board of commissioners in the city of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city, be now read the second time.

*Ordered*, That it be referred to Messrs. Nicholas, J. Mason, and Wright, to consider and report thereon.

The Vice President notified the Senate that, as the session was advancing to a close, agreeably to the practice heretofore adopted he should withdraw himself from further attendance for the remainder of the session.

The Senate adjourned to 11 o'clock to-morrow morning.

#### SATURDAY, APRIL 17, 1802.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides; and the Honorable Abraham Baldwin was chosen.

*Ordered*, That the Secretary notify the House of Representatives of this election.

On motion,

*Ordered*, That the Secretary wait on the President of the United States, and acquaint him that the Senate have, in the absence of the Vice President, elected the Honorable Abraham Baldwin their President pro tempore.

On motion,

*Ordered*, That Mr. Breckinridge be of the committee to whom was referred the bill to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, in place of Mr. Baldwin, elected President of the Senate.

Mr. Breckinridge, from the committee to whom was referred, on the 16th instant, the bill for the relief of Lewis Tousard, reported it without amendment.

*Ordered*, That this bill pass to the third reading.

The bill for the relief of Fulwar Skipwith was read the second time.

*Ordered*, That it be referred to Messrs. Nicholas, Dayton, and Clinton, to consider and report thereon.

The bill to provide for the establishment of certain districts, and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage," and for other purposes, was read the second time.

*Ordered*, That it be referred to Messrs. Brown, Anderson, and Tracy, to consider and report thereon.

Mr. Wright presented the petition of the traders, pilots, builders, and others concerned in navigation in the district of St. Mary's river, praying that the collector's office may be established there, being more convenient than at Nanjemoy; and the petition was read.

*Ordered*, That it be referred to the last mentioned committee, to consider and report thereon.

The Senate took into consideration the amendments reported by the committee to the bill for establishing the government of the territory of Columbia.

*Ordered*, That the further consideration thereof be postponed until Monday next.

*Ordered*, That the third reading of the bill to alter and establish certain post roads be postponed.

Mr. Bradley, from the committee to whom was referred, on the 12th instant, the bill altering the sessions of the district court in the district of Vermont, and for other purposes, reported amendments, which were read and adopted.

*Ordered*, That this bill pass to the third reading as amended.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, APRIL 19, 1802.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President* : The House of Representatives have passed a bill for the relief of the widows and orphans of certain persons who have died, or may hereafter die, in the naval service of the United States, in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

*Ordered*, That it be referred to Messrs. J. Mason, Nicholas, and Tracy, to consider and report thereon.

*Ordered*, That Mr. Stone be on the committee to whom was referred the bill for the relief of sick and disabled seamen, in place of Mr. Baldwin, President.

On motion,

*Ordered*, That the committee to whom was referred, on the 1st of March last, the petition of Ebenezer Stevens, be discharged.

Mr. Cocke, from the committee to whom was referred, on the 16th instant, the bill regulating and fixing the compensations of the officers of the Senate and House of Representatives, reported it without amendment.

*Ordered*, That Mr. Stone be on the committee to whom was referred the bill making provision for the redemption of the whole of the public debt of the United States, in place of Mr. Baldwin, President.

The bill, entitled "An act for the relief of Lewis Tousard," was read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary notify to the House of Representatives the concurrence of the Senate in this bill.

Mr. Nicholas, from the committee to whom was referred, on the 16th instant, the bill to abolish the board of commissioners in the city of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city, reported amendments; which were read.

*Ordered*, That they lie for consideration.

On motion,

The Senate adjourned to 12 o'clock to-morrow

### TUESDAY, APRIL 20, 1802.

Mr. J. Mason, from the committee to whom was referred, on the 19th instant, the bill for the relief of the widows and orphans of certain persons who have died, or may hereafter die, in the naval service of the United States, reported it without amendment.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

The object of the enclosed letter from the director of the mint at Philadelphia being within legislative competence only, I transmit it to both houses of Congress.

TH. JEFFERSON.

April 20, 1802.

The message and letter therein referred to were read.

*Ordered*, That they lie for consideration.

Mr. Breckinridge, from the committee to whom was referred, on the 15th instant,



the bill making provision for the redemption of the whole of the public debt of the United States, reported an amendment, which was read. \*

*Ordered*, That it lie for consideration.

Mr. Brown, from the committee to whom was referred, on the 18th of March last, the petition of Alexander Gardner and Thomas Pinckney, reported that the prayer of the petition cannot be granted, and that the petitioners have leave to withdraw the same; and the report was adopted.

The Senate resumed the second reading of the bill for the relief of Paul Coulon.

On the question, Shall this bill pass to the third reading?

It was determined in the negative.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill to amend an act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes; also, a bill making an appropriation for the support of the navy of the United States, for the year one thousand eight hundred and two; in which bills they desire the concurrence of the Senate. And he withdrew.

The bills were read.

*Ordered*, That they severally pass to the second reading.

*Ordered*, That the bill, entitled "An act to repeal in part the act, entitled 'An act regulating foreign coins, and for other purposes,'" be further postponed.

The bill, entitled "An act further to alter and establish certain post roads," was read the third time; and was further amended.

On motion to strike out the following words from the section last reported as an amendment, to wit: "And it shall be, and it is hereby declared to be, the duty of the drivers of all other carriages, in every reasonable case, to give way to the carriage conveying the mail; and if any person or persons owning or driving other carriages, shall use such marks or signals, or shall refuse to give the road to the carriages carrying the mail of the United States whenever the same may be practicable, such person or persons, so offending, shall forfeit and pay a sum not exceeding thirty dollars for every such offence, to be prosecuted for, and recovered, as in the foregoing section is pointed out"—

It passed in the negative, { Yeas . . . . . 7,  
  { Nays . . . . . 17.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Breckinridge, Cocke, Dayton, Franklin, S. T. Mason, and Wright.

Those who voted in the negative, are,

Messrs. Baldwin, Bradley, Brown, Clinton, Ellery, T. Foster, Jackson, J. Mason, Morris, Nicholas, Ogden, Olcott, Stone, Sumpter, Tracy, Wells, and White.

And having agreed to amend the title of the bill,

*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

Mr. Nicholas, from the committee to whom was referred, on the 17th instant, the bill for the relief of Fulwar Skipwith, reported it without amendment.

Mr. Olcott gave notice, that he should, to-morrow, ask leave to bring in a bill fixing the time for the next meeting of Congress.

Mr. Brown, from the committee to whom the subject was referred, on the 7th instant, reported a bill to extend and continue in force the provisions of an act, entitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates for lands lying between the Miami rivers in the territory northwest of the Ohio, and for other purposes;" which bill was read.

*Ordered*, That it pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, APRIL 21, 1802.

Mr. Brown, from the committee appointed on the bill to extend and continue in force the provisions of an act, entitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates for lands lying between the Miami rivers in the territory northwest of the Ohio, and for other purposes," reported an additional section to said bill, which was read, and, together with the bill, was read the second time.

The bill making an appropriation for the support of the navy of the United States, for the year one thousand eight hundred and two, was read the second time.

*Ordered*, That it be referred to Messrs. Ellery, Clinton, and J. Mason, to consider and report thereon.

The bill to amend "An act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes," was read the second time.

*Ordered*, That it be referred to Messrs. Ellery, Clinton, and Wells, to consider and report thereon.

Mr. Bradley gave notice that he should, to-morrow, ask leave to bring in a bill to establish by law a more uniform manner of holding elections in each state for Representatives in the Congress of the United States.

On motion,

**Ordered,** That Paul Coulon have leave to withdraw his papers.

Agreeably to notice given yesterday, Mr. Olcott had leave to bring in a bill fixing the time for the next meeting of Congress, which was read.

**Ordered,** That it pass to the second reading.

The bill altering the sessions of the district court in the district of Vermont, and for other purposes, was read the third time.

On the question, Shall this bill pass?

It was determined in the negative.

The Senate resumed the second reading of the bill for the relief of Theodosius Fowler.

**Ordered,** That this bill pass to the third reading.

The Senate took into consideration the amendment reported by the committee to the bill making provision for the redemption of the whole of the public debt of the United States.

On motion to strike out the words, section 1st, lines 8th, 9th, and 10th, of the printed bill—"And, also, future loans which may be made for reimbursing or redeeming any instalment or parts of the principal of the said debt:"

|                            |   |                |     |
|----------------------------|---|----------------|-----|
| It passed in the negative, | { | Yeas . . . . . | 8,  |
|                            |   | Nays . . . . . | 18. |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Dayton, Dwight Foster, Howard, Morris, Ogden, Olcott, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, J. Mason, Nicholas, Stone, Sumpter, and Wright.

On motion to strike out of section 5th, line 11th, "or any individual or individuals:"

|                            |                  |     |
|----------------------------|------------------|-----|
| It passed in the negative, | { Yeas . . . . . | 9,  |
|                            | { Nays . . . . . | 17. |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Dayton, Dwight Foster, Howard, J. Mason, Morris, Ogden, Olcott, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

**Ordered,** That this bill pass to the third reading.

Mr. Wright reported, from the committee, that they had this day examined, and found duly enrolled, the bill, entitled "An act for the relief of Lewis Tousard."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.'" The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Wright reported, from the committee, that they did, this day, lay the enrolled bill last reported to have been examined before the President of the United States.



Mr. Tracy, from the committee to whom was referred the amendments of the House of Representatives to the bill, entitled "An act for the better security of public money and property in the hands of public officers and agents," reported that a conference be asked on the subject-matter thereof; and the report was disagreed to.

Mr. Franklin, from the committee to whom was referred, on the 12th instant, the bill to enable the people of the eastern division of the territory northwest of the river Ohio, to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes, reported amendments, which were read.

*Ordered*, That they lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, APRIL 22, 1802.

Mr. Wright reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act in addition to an act, entitled 'An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.'"

Mr. Brown, from the committee to whom was referred, on the 17th instant, the bill to provide for the establishment of certain districts, and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage, and for other purposes," reported it without amendment.

Mr. Ellery, from the committee to whom was referred, on the 21st instant, the bill making an appropriation for the support of the navy of the United States, for the year one thousand eight hundred and two, reported it without amendment.

Agreeably to notice given yesterday, Mr. Bradley had leave to bring in a bill to establish, by law, a more uniform manner of holding elections in each state; which was read; and,

On the question, Shall this bill pass to the second reading?

It was determined in the negative.

The bill fixing the time for the next meeting of Congress was read the second time; and,

On the question, Shall this bill pass to the third reading?

It was determined in the negative.

The Senate resumed the consideration of the amendments reported by the committee to the bill for establishing the government of the territory of Columbia; and having agreed in part to the amendments reported,

On the question, Shall this bill be read the third time, as amended?

It was determined in the negative, { Yeas . . . . . 13,  
Nays . . . . . 13.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, S. T. Mason, Nicholas, and Wright.

Those who voted in the negative, are,

Messrs. Bradley, Dayton, Dwight Foster, Howard, Logan, J. Mason, Morris, Ogden, Olcott, Stone, Tracy, Wells, and White.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to some and disagree to other amendments of the Senate to the bill, entitled "An act further to alter and establish certain post roads." The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act for the relief of Theodosius Fowler," was read the third time; and, after debate,

*Ordered*, That the further consideration thereof be postponed until Monday next.

After the consideration of the Executive business,

The Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, APRIL 23, 1802.

The Senate resumed the second reading of the bill to regulate and fix the compensations of the officers of the Senate and House of Representatives.

*Ordered*, That this bill pass to the third reading.

The Senate took into consideration the amendments reported by the committee to the bill to abolish the board of commissioners in the city of Washington, and to make provision for the repayment of the loans made by the state of Maryland for the use of the city; and having agreed thereto,

*Ordered*, That the bill pass to the third reading as amended.

The Senate resumed the second reading of the bill making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and two.

*Ordered*, That it be recommitted to Messrs. Ellery, Clinton, and J. Mason, the original committee, further to consider and report thereon.

The Senate resumed the second reading of the bill for the relief of the widows and orphans of certain persons who have died, or may hereafter die, in the naval service of the United States.

*Ordered*, That this bill pass to the third reading.

The Senate resumed the second reading of the bill for the relief of Fulwar Skipwith.

*Ordered*, That this bill be committed to Messrs. Morris, Dayton, and Nicholas, further to consider and report thereon.

Mr. Ogden presented the petition of John Cleves Symmes, praying relief from the operations of an act giving a right of pre-emption to certain persons who have contracted with J. C. Symmes, or his associates, for lands lying between the Miami rivers in the territory of the United States northwest of the river Ohio; and the petition was read.

*Ordered*, That it be referred to Messrs. Breckinridge, Ogden, and Bradley, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States did, on the 21st instant, approve and sign "An act for the relief of Lewis Tousard." The House of Representatives have passed a resolution authorizing the President of the Senate and the Speaker of the House of Representatives to adjourn their respective houses on the 26th instant; in which they desire the concurrence of the Senate. They have passed the bill sent from the Senate, entitled "An act to amend the judicial system of the United States," with amendments; in which they desire the concurrence of the Senate. And he withdrew.

The resolution for adjournment was read.

*Ordered*, That it lie for consideration.

The amendments to the bill last mentioned were read.

*Ordered*, That they lie for consideration.

The Senate took into consideration the amendments reported by the committee to the bill to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes; and having in part adopted the amendments,

*Ordered*, That the further consideration of the bill be postponed.

Mr. Ellery, from the committee to whom was referred, on the 21st instant, the bill to amend "An act to establish the compensation of the officers employed in the collection of the duties on imports and tonnage, and for other purposes," reported amendments; which were read.

*Ordered*, That they lie for consideration.

On request, Mr. Jackson had leave of absence after Monday next, for the remainder of the session.

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, APRIL 24, 1802.

The Senate took into consideration their amendments disagreed to by the House of Representatives to the bill, entitled "An act further to alter and establish certain post roads;" And

*Resolved*, That they do insist on said amendments, ask a conference thereon, and that Messrs. Jackson and Tracy be the managers on the part of the Senate.



**Ordered,** That the Secretary acquaint the House of Representatives therewith.

The Senate took into consideration the resolution of the House of Representatives authorizing the President of the Senate and the Speaker of the House of Representatives to adjourn their respective houses on the 26th instant: and

*Resolved,* That they do not concur therein.

**Ordered,** That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act making provision for the redemption of the whole of the public debt of the United States," was read the third time.

On motion, to strike out, section first, after the word "that," in the second line, to the word "hereby" in the twelfth line, and insert the words "in addition to all appropriations heretofore made for payment of the principal and interest of the debts of the United States, (other than surplusses of revenue) so much of the duties on merchandise and tonnage as will amount, with the said provisions, to an annual sum of seven millions three hundred thousand dollars, be, and the same is hereby, appropriated to the sinking fund; and the said sum of seven millions three hundred thousand dollars is:"

It passed in the negative;

|                  |     |
|------------------|-----|
| { Yeas . . . . . | 10, |
| { Nays . . . . . | 16. |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Dayton, Dwight Foster, Howard, J. Mason, Morris, Ogden, Olcott, Tracy, Wells, and White.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

On the question, Shall this bill pass as amended?

|                                       |                  |     |
|---------------------------------------|------------------|-----|
| It was determined in the affirmative, | { Yeas . . . . . | 17, |
|                                       | { Nays . . . . . | 10. |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs: Dayton, Dwight Foster, Howard, J. Mason, Morris, Ogden, Olcott, Tracy, Wells, and White.

So it was

***Resolved,*** That this bill do pass with amendments.

**Ordered,** That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill, entitled "An act for the relief of the widows and orphans of certain persons who have died, or may hereafter die, in the naval service of the United States," was read the third time.

*Ordered, That the further consideration thereof be postponed until Monday next.*

The Senate adjourned to 10 o'clock on Monday morning.

**MONDAY, APRIL 26, 1802.**

Mr. Wright reported, from the committee, that they did, on the 24th instant, lay before the President of the United States the enrolled bill, entitled "An act in addition to an act, entitled 'An act in addition to 'An act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.'"

Mr. Ellery, from the committee to whom was referred, on the 23d instant, the bill making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and two, reported amendments, which were read.

*Ordered, That they lie for consideration.*

The Senate took into consideration the amendments of the House of Representatives to the bill, entitled "An act to amend the judicial system of the United States."

*Resolved*, That they do concur in all the amendments of the House of Representatives to the said bill, except that which goes to strike out the 15th section, in which they do not concur.

Ordered, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill making appropriations for the military establishment of the United States for the year one thousand eight hundred and two; a bill making appropriations for the support of government for the year one thousand eight hundred and two; and a bill to repeal so much of the acts—the one, entitled “An act establishing a mint, and regulating the coins of the United States;” the other an act, entitled “An act supplementary to the act establishing the mint, and regulating the coins of the United States,” as relate to the establishment of the mint; in which bills they desire the concurrence of the Senate. They insist on their amendments disagreed to by the Senate to the bill, entitled “An act further to alter and establish certain post roads,” and agree to the conference proposed by the Senate thereon, and have appointed managers on their part. The President of the United States this day approved and signed “An act in addition to an act, entitled ‘An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen.’” The House of Representatives agree to the amendments of the Senate to the bill, entitled “An act making provision for the redemption of the whole of the public debt of the United States.” And he withdrew.

The three bills first mentioned in the message were read.

The Senate resumed the second reading of the bill to extend and continue in force the provisions of an act, entitled “An act giving a right of pre-emption to certain persons who have contracted with John C. Symmes or his associates, for lands lying between the Miami rivers in the territory northwest of the Ohio, and for other purposes.”

*Ordered,* That this bill pass to the third reading as amended.

The bill making appropriations for the military establishment of the United States in the year one thousand eight hundred and two, was, by unanimous consent, read the second time.

*Ordered,* That it be referred to Messrs. Bradley, Howard, and Dayton, to consider and report thereon.

The bill making appropriations for the support of government for the year one thousand eight hundred and two, was, by unanimous consent, read the second time.

*Ordered,* That it be referred to Messrs. Bradley, Logan, and Wells, to consider and report thereon.

On motion,

It was agreed, by unanimous consent, that the bill to repeal the acts establishing the mint, and regulating the coins of the United States, be now read the second time.

On the question, Shall this bill pass to a third reading?

It passed in the negative.

*Ordered,* That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

The bill, entitled “An act to regulate and fix the compensations of the officers of the Senate and House of Representatives,” was read the third time.

*Resolved,* That this bill do pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence.

The bill, entitled “An act to abolish the Board of Commissioners in the City of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city,” was read the third time.

*Resolved,* That this bill do pass as amended.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendments.

The Senate resumed the third reading of the bill, entitled “An act for the relief of the widows and orphans of certain persons who have died, or may hereafter die, in the naval service of the United States.”

On motion to strike out the second section of the bill, to wit:

“SEC. 2. *And be it further enacted,* That if any commissioned or warrant officer of the navy, or commissioned officer of marines, have died, or shall hereafter die, by reason of wounds received while in the actual service of the United States, or have been lost at sea or drowned, or shall hereafter be lost at sea or drowned, while in service as aforesaid, and in the actual line of his duty, and shall leave a widow, or if not, leave a child or children, under age, such widow, or such child or children, as the case may be, shall be entitled to, and receive, the half of the monthly pay to which the deceased was entitled at the time of his death, for and during the term of five years.

And in case of the death or intermarriage of such widow, before the expiration of the said term of five years, the half pay for the residue of the term shall go to the



child or children of such deceased officer while under the age of sixteen years; and, in like manner, the allowance to the child or children of such deceased, in case there be no widow, shall be paid no longer than during the time there is a child or children under the age of sixteen years:

It passed in the affirmative,

|                  |     |
|------------------|-----|
| { Yeas . . . . . | 16, |
| { Nays . . . . . | 8.  |

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Brown, Clinton, Cocke, Dayton, T. Foster, Franklin, Jackson, S. T. Mason, Ogden, Olcott, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Ellery, Dwight Foster, Howard, J. Mason, Morris, Nicholas, Wells, and White.

And having agreed to strike out the third section, and to amend the title by striking out the words "or may hereafter die," it was

*Resolved, That this bill pass as amended.*

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill, entitled "An act for the relief of Theodosius Fowler," was read the third time; and

On the question, Shall this bill pass?

It was determined in the affirmative, { Yeas . . . . . 14,  
Nays . . . . . 10.

The yeas and nays being required by one-fifth of the Senators present.

Those who voted in the affirmative, are,

Messrs. Anderson, Brown, Clinton, Dayton, Ellery, T. Foster, Franklin, Howard, J. Mason, Morris, Nicholas, Ogden, Wells, and White.

Those who voted in the negative, are,

Messrs. Baldwin, Bradley, Cocke, Jackson, Logan, S. T. Mason, Olcott, Stone, Sumpter, and Wright.

*Resolved, That this bill do pass.*

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate and  
of the House of Representatives:*

In pursuance of the act, entitled "An act supplemental to the act, entitled 'An act for an amicable settlement of limits with the state of Georgia, and authorizing the establishment of a government in the Mississippi territory,'" James Madison, Secretary of State, Albert Gallatin, Secretary of the Treasury, and Levi Lincoln, Attorney General of the United States, were appointed commissioners, to settle, by compromise, with the commissioners appointed by the state of Georgia, the claims and cession to which the said act has relation.

Articles of agreement and cession have accordingly been entered into and signed by the said commissioners of the United States and of Georgia, which, as they leave a right to Congress to act upon them legislatively, at any time within six months after their date, I have thought it my duty immediately to communicate to the legislature.

TH. JEFFERSON,

*April 26, 1802.*

The message and documents therein referred to were read.

Ordered, That they be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives recede from their amendments disagreed to by the Senate which goes to the striking out the 15th section of the bill, entitled "An act to amend the judicial system of the United States." And he withdrew.

Mr. Morris, from the committee to whom was referred the message of the President of the United States of the 29th of March last, on the police of the City of Washington, reported a bill on that subject, which was read, and, by unanimous consent, had a second reading.

On motion.

The bill to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government was postponed until to-morrow.

On motion,

*Resolved*, That the motion made on the 16th instant for an amendment to the constitution of the United States respecting the choice of electors for President and Vice President be postponed until the next session of Congress.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, APRIL 27, 1802.

Mr. Ellery, from the committee, reported that they had this day examined and found duly enrolled the bill to regulate and fix the compensations of the officers of the Senate and House of Representatives; also, the bill for the relief of Theodosius Fowler.

The following written message was received from the President of the United States, by Mr. Lewis, his Secretary:

*Gentlemen of the Senate and*

*of the House of Representatives:*

The commissioners who were appointed to carry into execution the sixth article of the treaty of amity, commerce, and navigation, between the United States and Great Britain, having differed in their construction of that article, and separated in consequence of that difference, the President of the United States took immediate measures for obtaining conventional explanations of that article, for the government of the commissioners. Finding, however, great difficulties opposed to a settlement in that way, he authorized our minister at the court of London to meet a proposition that the United States, by the payment of a fixed sum, should discharge themselves from their responsibility for such debts as cannot be recovered from the individual debtors. A convention has accordingly been signed, fixing the sum to be paid at 600,000 pounds sterling, in three equal and annual instalments; which has been ratified by me, with the advice and consent of the Senate.

I now transmit copies thereof to both Houses of Congress, trusting that, in the free exercise of the authority which the constitution has given them on the subject of public expenditures, they will deem it for the public interest to appropriate the sums necessary for carrying this convention into execution.

TH. JEFFERSON.

*April 27, 1802.*

The message was read.

*Ordered*, That it be referred to Messrs. Nicholas, Dayton, and Logan, to report thereon by bill or otherwise.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act for the relief of the widows of certain persons who have died, or may hereafter die, in the naval service of the United States." They have passed the bill, entitled "An act supplementary to an act, entitled 'An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned, and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.'" They have passed a bill to incorporate the inhabitants of the city of Washington, in the district of Columbia, in which they desire the concurrence of the Senate. And he withdrew.

The Senate resumed the second reading of the bill to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government.

On motion, section 6th, to strike out the following words, reported by the committee to be struck out, and which report was amended, as follows: "*Provided*, That the convention of the said state shall, on its part, assent that every and each tract of land sold by Congress, from and after the 30th day of June next, shall be and remain exempt from any tax laid by order or under authority of the state, whether for state, county, township, or any other purpose whatever, for the term of five years from and after the day of sale:"

It passed in the negative, { Yeas . . . . . 12,  
  { Nays . . . . . 14.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Dayton, Dwight Foster, Howard, J. Mason, Morris, Ogden, Olcott, Tracy, Wells, and White.

Those who voted in the negative, are,



Mr. Ellery reported, from the committee, that they did this day examine, and find duly enrolled, the bill, entitled "An act for the relief of the widows and orphans of cer-

tain persons who have died in the naval service of the United States," and the bill entitled "An act making provision for the redemption of the whole of the public debt of the United States."

Mr. Wright, from the said committee, reported that they had also examined, and found duly enrolled, the bill, entitled "An act to amend the judicial system of the United States," and the bill, entitled "An act supplementary to an act, entitled 'An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned,' and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints."

On request, by Mr. Dwight Foster, Mr. J. Mason obtained leave of absence for the remainder of the session.

Mr. Bradley, from the committee to whom was referred, on the 26th instant, the bill making appropriations for the military establishment of the United States, in the year one thousand eight hundred and two, reported it without amendment.

The Senate resumed the third reading of the bill, entitled "An act to repeal in part the act, entitled 'An act regulating foreign coins, and for other purposes.'"

*Resolved*, That this bill do pass with amendment.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment.

The Senate took into consideration the amendments reported by the committee to the bill, entitled "An act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes," which report was in part adopted.

*Ordered*, That the bill pass to the third reading as amended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act to repeal in part the act, entitled 'An act regulating foreign coins, and for other purposes.' They have passed a bill to revive and continue in force an act, entitled "An act for establishing trading houses with the Indian tribes;" in which they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the six enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act to revive and continue in force an act, entitled 'An act for establishing trading houses with the Indian tribes,'" was read, and, by unanimous consent, had a second reading.

*Ordered*, That the further consideration thereof be postponed.

Mr. Brown, from the committee to whom was referred, on the 17th instant, the petition of the traders, pilots, builders, and others concerned in navigation, in the district of St. Mary's river, reported, that the petitioners have leave to withdraw their petition; and the report was adopted.

Mr. Brown, from the said committee, to whom was also referred the bill to provide for the establishment of certain districts, and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage, and for other purposes," reported it without amendment.

The bill, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes," was read the third time.

On motion to strike out, section 6th, line 18th, after the word "sell," the words "nor lease the same for a longer period than ten years," and insert "the same, nor derive a revenue from the same:"

It passed in the negative, { Yeas . . . . . 6,  
Nays . . . . . 14.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Dwight Foster, Morris, Nicholas, Ogden, Olcott, and Tracy.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Clinton, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Stone, Sumpter, and Wright.

Same section, line 29th,

On motion to strike out the word "sold," and insert the word "granted"—



It passed in the negative, { Yeas . . . . . 8,  
   { Nays . . . . . 14.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Dwight Foster, Howard, Morris, Ogden, Olcott, Tracy, and Wells.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Clinton, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

And the bill being further amended,

On the question, Shall this bill pass as amended?

It was determined in the affirmative, { Yeas . . . . . 16,  
   { Nays . . . . . 6.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Dwight Foster, Howard, Morris, Ogden, Olcott, and Tracy.

So it was

*Resolved*, That this bill do pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

Mr. Tracy notified the Senate that he should, to-morrow, ask leave to bring in a bill to carry into effect the resolution of Congress, passed on the 17th day of June, 1777, for erecting a monument to the memory of General Wooster.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act additional to, and amendatory of, an act, entitled 'An act concerning the District of Columbia,'" in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

*Ordered*, That it pass to the second reading.

The Senate adjourned to 10 o'clock to-morrow morning.

#### THURSDAY, APRIL 29, 1802.

Agreeably to notice given yesterday, Mr. Tracy had leave to bring in a bill to carry into effect the resolution of Congress, passed on the 17th day June, 1777, for erecting a monument to the memory of General Wooster; which was read, and, by unanimous consent, had a second reading.

*Ordered*, That it be referred to Messrs. Tracy, Jackson, and Nicholas, to consider and report thereon.

Mr. Wright, from the committee, reported that they did, this day, lay before the President of the United States the six enrolled bills last reported to have been examined.

Mr. Bradley, from the committee to whom was referred, on the 26th instant, the bill making appropriations for the support of government for the year one thousand eight hundred and two, reported amendments; which were read and adopted.

*Ordered*, That this bill pass to the third reading as amended.

The bill additional to, and amendatory of, an act, entitled "An act concerning the District of Columbia," was read the second time.

*Ordered*, That it be referred to Messrs. S. T. Mason, Howard, and Stone, to consider and report thereon.

The Senate took into consideration the amendments reported by the committee to the bill making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and two; which were agreed to.

On motion further to amend the bill, by adding a new section, as follows:

Sec. 3. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to dismiss so many of the officers of the marine corps as will reduce their number and grades in legal proportion to the number of marines retained in service, and that the officers who may be so deranged shall be entitled to receive — months pay:

It passed in the affirmative, { Yeas . . . . . 15,  
   { Nays . . . . . 6.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs Anderson, Baldwin, Bradley, Breckinridge, Brown, Clinton, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Stone, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Dwight Foster, Howard, Ogden, Olcott, Tracy, and Wells.

*Ordered*, That this bill pass to the third reading as amended.

The bill making appropriations for the military establishment of the United States in the year 1802, was read the second time.

*Ordered*, That this bill pass to the third reading.

The bill, entitled "An act to amend an act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes," was read the third time.

*Resolved*, That this bill pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

Mr. Ogden, from the committee to whom was referred, on the 23d instant, the petition of John Cleves Symmes, made report; which was read.

*Ordered*, That it lie for consideration.

The bill to incorporate the inhabitants of the city of Washington, in the District of Columbia, was read the second time.

*Ordered*, That it be referred to Messrs. S. T. Mason, Wright, and Howard, to consider and report thereon.

The Senate resumed the second reading of the bill respecting the police of the District of Columbia.

*Ordered*, That the further consideration thereof be postponed.

The Senate resumed the second reading of the bill to provide for the establishment of certain districts, and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage, and for other purposes."

*Ordered*, That it pass to the third reading.

The Senate resumed the second reading of the bill, entitled "An act to revive and continue in force an act for establishing trading houses with the Indian tribes."

On motion,

It was agreed, by unanimous consent, that the bill be now read the third time.

*Resolved*, That this bill do pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

On motion,

*Ordered*, That the committee to whom was referred, on the 9th of March last, the petition of Albert Russel, and others, be discharged; and that the petitioners have leave to withdraw their petition.

On motion,

*Ordered*, That the committee appointed on the 15th February last, on that part of the message of the President of the United States which refers to the report of the Secretary of War, on the subject of the islands in the lakes and rivers of our northern boundary, and of certain lands in the neighborhood of our military posts, and to whom also was referred the letter of Governor Harrison, be discharged.

On motion,

*Ordered*, That the committee appointed the 11th of March last, on the bill to provide for the more convenient organization of the courts of the United States within the state of Tennessee; also, the committee, appointed the 22d of March last, on the bill to alter the time of holding the district court in the District of Maine, be respectively discharged.

On motion,

*Ordered*, That Mr. Sumpter be on the committee to whom was referred the bill for the relief of Fulwar Skipwith, in place of Mr. Dayton, absent.

*Ordered*, That the message of the President of the United States of the 26th instant, relative to articles of agreement and cession with the state of Georgia, be referred to Messrs. Tracy, S. T. Mason, and Breckinridge, to consider and report thereon.

Mr. S. T. Mason presented the petition of David Brown, of Massachusetts, praying compensation for his sufferings while imprisoned under sentence of the judicial court for seditious practices; and the petition was read.

*Ordered*, That it lie on the table.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.



FRIDAY, APRIL 30, 1802.

Mr. Tracy, from the committee to whom was referred, on the 29th instant, the bill to carry into effect a resolution of Congress for erecting a monument to the memory of the late General David Wooster, reported amendments; which were read.

*Ordered*, That they lie for consideration.

A message from the President of the United States, by Mr. Lewis, his Secretary:

*Mr. President*: The President of the United States did, on the 29th instant, approve and sign "An act to amend the judicial system of the United States," and "An act supplementary to an act, entitled 'An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned, and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.'"

*Ordered*, That the Secretary notify the House of Representatives accordingly:

The Senate resumed the second reading of the bill respecting the police of the District of Columbia,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

Mr. Mason presented sundry petitions of the inhabitants of Georgetown, on the Potomac, praying to be authorized by law to assess and collect the necessary taxes for the paving and improvement of that town.

*Ordered*, That these petitions be referred to the committee who have under consideration the bill, entitled "An act to incorporate the inhabitants of the city of Washington."

The Senate resumed the consideration of the report of the committee on the petition of John Cleves Symmes, which was adopted, as follows:

1. That, in the year 1788, the petitioner entered into a contract with the United States, upon a fair consideration, for the purchase of one million of acres of land, in the northwestern territory

2. That, in consequence of such contract, the petitioner made a settlement upon the tract, and sold many parcels thereof to adventurers, who went, together with him, into that new country, and located themselves there.

3. That, in the year 1794, the petitioner obtained a patent, under the authority of a law which enabled the President of the United States to make the same, for such proportion of the one million of acres, which had at that time been paid for, pursuant to the said contract, amounting to 311,682 acres of the said million of acres of land.

4. That the petitioner, after the said in part fulfilment of the contract on the side of both the parties to the same, proceeded to make sales (as he before had done in respect to the lands for which he had lately received the patent, as above mentioned) in the residue of the one million of acres, expecting to make the title when he should receive his patent therefor, agreeably to his contract, as he had before practised.

5. That no authority has been given by law, or otherwise, that can be found by your committee, whereby the said contract can be carried into execution on behalf of the United States, upon the payment of the sums further stipulated to be paid by the petitioner, agreeably to his contract, whereby he is entitled to a patent, upon payment of such stipulated sums; which payments the petitioner avers he always has been, and still is, ready to pay and perform, as thereunto required by his contract.

6. That your committee, from the papers and documents laid before them by the petitioner, or from the statement which he has made, do not perceive that the petitioner has done any one act, or omitted to do any act, whereby he has forfeited any right to the full benefit of his contract, before stated.

7. That no authority exists, by law, enabling any person to carry into execution the said contract on behalf of the United States; but, on the contrary, that two laws have been passed predicated upon the idea that the obligations of the United States, under the said contract, have ceased and determined: under the operation of which laws the said petitioner states, and your committee believe, that the said petitioner is suffering very great hardships, tending to the utter destruction and total waste of his whole property.

8. Your committee, the premises considered, beg leave to recommend the adoption of the resolution accompanying this report:

*Resolved*, That the President of the United States be requested to direct the attorney general to examine into the contract entered into between the United States and John Cleves Symmes, Esq. and others, bearing date on the 15th of October, 1788, and all the contracts and laws relative thereto; and all the transactions which may legally or equitably affect the same, as far as they may come to his knowledge; and to make a

report of the same to the Senate, at their next session, together with his opinion whether the said John Cleves Symmes has any claims, and what, upon the United States, in virtue of the said contract, or any other contract, or law predicated upon the same: and that the further consideration of the petition of said John Cleves Symmes, Esq. of and concerning the premises, be postponed to the first day of the next session of Congress.

And the report was adopted.

*Ordered*, That the Secretary lay this resolution before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President* : The House of Representatives have passed a bill making an appropriation to carry into execution the sixth article of the treaty of amity, commerce, and navigation, between the United States and Great Britain, in which they desire the concurrence of the Senate. They agree to the amendments of the Senate to the bill, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states; and for other purposes." They agree to the amendments of the Senate to the bill, entitled "An act to amend 'An act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes.'" They also agree to the amendments of the Senate to the bill, entitled "An act to abolish the board of commissioners in the city of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city," with amendments; in which they desire the concurrence of the Senate. They have passed a resolution authorizing the President of the Senate and the Speaker of the House of Representatives to adjourn their respective houses on Saturday the 1st of May, in which they desire the concurrence of the Senate. And he withdrew.

The Senate resumed the consideration of the amendments of the House of Representatives to the amendments on the bill, entitled "An act to abolish the board of commissioners in the city of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city," and agreed thereto.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

The bill, entitled "An act making an appropriation for carrying into effect the convention between the United States of America and his Britannic majesty," was read the first time.

*Ordered*, That this bill pass to the second reading.

The resolution of the House of Representatives, authorizing the President of the Senate and the Speaker of the House of Representatives to adjourn their respective houses on Saturday the first day of May, was read.

The bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and two," was read a third time and passed.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate.

The bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and two," was read the third time.

*Resolved*, That this bill do pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The bill making an appropriations for the support of the navy of the United States, for the year one thousand eight hundred and two, was read the third time as amended.

On motion to strike out the third section, agreed to yesterday:

It passed in the affirmative, { Yeas . . . . . 12,  
Nays . . . . . 11.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Dwight Foster, Howard, Morris, Nicholas, Ogden, Olcott, Tracy, Wells, White, and Wright.

Those who voted in the negative, are,

Messrs. Anderson, Baldwin, Breckinridge, Clinton, Cocke, Ellery, Franklin, Logan, S. T. Mason, Stone, and Sumpter.

*Resolved*, That this bill do pass with the amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives therein.



Mr. Wright, from the committee, reported that they had this day examined and found duly enrolled a bill, entitled "An act to revive and continue in force 'An act establishing trading houses with the Indian tribes,'" a bill, entitled "An act to repeal in part the act, entitled 'An act regulating foreign coins, and for other purposes,'" a bill, entitled "An act to amend an act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes;" and a bill, entitled "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed the bill, entitled "An act to empower John James Dufour and his associates to purchase certain lands;" also, the bill, entitled "An act to extend and continue in force the provisions of an act, entitled 'An act to give a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers, in the territory northwest of the Ohio, and for other purposes.'" The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of the President. The President of the United States did, on the 29th instant, approve and sign "An act making provision for the redemption of the whole of the public debt of the United States;" "An act for the relief of Theodosius Fowler;" "An act to regulate and fix the compensations of the officers of the Senate and House of Representatives;" and "An act for the relief of the widows and orphans of certain persons who have died in the naval service of the United States." And he withdrew.

The President signed the four enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill, entitled "An act to provide for the establishment of certain districts, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes,'" was read the third time, and passed with an amendment.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendment.

Mr. Bradley, from the committee to whom was referred, on the 6th and 7th instant, the petition of Elijah Brainard, also, the petition of Jonathan Snowden, reported that the consideration of said petitions be severally postponed to the next session of Congress, and that the committee to whom the same were referred be discharged; and the report was adopted.

Mr. Wright, from the committee, reported that they did this day lay the four enrolled bills last reported to have been examined before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and two;" also, their amendments to the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and two;" also, to their amendments to the bill, entitled "An act to provide for the establishment of certain districts, and therein to amend an act, entitled 'An act to regulate the collection of duties on imports and tonnage, and for other purposes.'" And he withdrew.

Mr. S. T. Mason, from the committee to whom was referred, on the 29th instant, the bill to incorporate the inhabitants of the city of Washington, in the District of Columbia, reported amendments; which were read.

*Ordered,* That they lie for consideration.

On motion,

*Ordered,* That the bill for the better security of public money and property in the hands of public officers and agents, as amended by the House of Representatives, be postponed to the next session of Congress.

*Ordered,* That the Secretary notify the House of Representatives accordingly.

Mr. S. T. Mason, from the committee to whom was referred, on the 29th instant, the bill additional to, and amendatory of, an act, entitled "An act concerning the District of Columbia;" reported amendments, which were read.

*Ordered,* That they lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, MAY 1, 1802.

Mr. Ellery reported, from the committee, that they had this day examined and found duly enrolled the bill, entitled "An act to extend and continue in force the provisions of an act, entitled 'An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates for lands lying between the Miami rivers, in the territory northwest of the Ohio, and for other purposes;' the bill, entitled "An act to empower John James Dufour and his associates to purchase certain land;" the bill, entitled "An act making appropriations for the support of government for the year one thousand eight hundred and two;" the bill, entitled "An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and two;" the bill, entitled "An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and two;" the bill, entitled "An act to abolish the Board of Commissioners in the city of Washington, and to make provision for the repayment of loans made by the state of Maryland for the use of the city;" and the bill, entitled "An act to provide for the establishment of certain districts, and therein to amend an act to regulate the collection of duties on imports and tonnage, and for other purposes."

Mr. Tracy, from the committee to whom was referred, on the 29th of April last, the message from the President of the United States of the 26th, accompanying certain articles of agreement and cession which have been entered into and signed by the commissioners of the United States and the commissioners of the state of Georgia, made report—

That at this very late hour of the session, and from a total want of all information and facts which would be necessary to enable the committee to form a just opinion on the subject of the said agreement, the committee have it not in their power to recommend any measure as necessary to be adopted on the subject.

The Senate took into consideration the resolution of the House of Representatives authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective Houses on the first day of May, and agreed to amend the same by striking out the word "first" and inserting the word "third."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment.

The Senate took into consideration the amendments reported by the committee to the bill, to amend an act, entitled "An act for the relief of sick and disabled seamen," and for other purposes; and, having agreed thereto,

*Ordered*, That the bill pass to the third reading as amended.

Mr. Jackson, from the managers at the conference on the part of the Senate, reported that the Senate recede from some, and adhere to other, amendments to the bill further to alter and establish certain post roads; and the report was adopted.

*Ordered*, That the Secretary notify the House of Representatives accordingly.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to their resolution for the adjournment of Congress on the first instant. The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the seven enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The bill making an appropriation for carrying into effect the convention between the United States of America and his Britannic majesty, was read the second time.

*Ordered*, That it pass to the third reading.

The Senate took into consideration the amendments of the committee to the bill, additional to, and amendatory of, "An act concerning the District of Columbia;" and, having agreed thereto,

*Ordered*, That the bill pass to the third reading as amended.

A message from the President of the United States, by Mr. Lewis, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act to continue in force the provisions of an act, entitled 'An act to give a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates for lands lying between the Miami rivers, in the territory northwest of the river Ohio, and for other purposes;' and "An act to empower John James Dufour and his associates to purchase certain lands."

*Ordered*, That the Secretary notify the House of Representatives accordingly.



|                                       |                  |     |
|---------------------------------------|------------------|-----|
| It was determined in the affirmative, | { Yeas . . . . . | 15, |
|                                       | { Nays . . . . . | 5.  |





A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Wright, from the committee, reported that they had laid the enrolled bills last reported to have been examined before the President of United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act additional to, and amendatory of, an act, entitled 'An act concerning the District of Columbia,' with an amendment; in which they desire the concurrence of the Senate. And he withdrew.

The Senate took into consideration the amendment of the House of Representatives to their amendment to the bill last mentioned.

*Resolved,* That they do concur therein.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence.

The Senate resumed the second reading of the bill respecting the police of the District of Columbia; and,

On motion,

*Ordered,* That the further consideration thereof be postponed until the third Monday in November next.

The bill, entitled "An act for the relief of Fulwar Skipwith," was read the third time.

*Resolved,* That this bill do pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate took into consideration the resolution of the House of Representatives of the 1st of May, for an amendment to the constitution of the United States.

And, on the question, Will the Senate concur therein?

It passed in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 15, \\ \text{Nays} \dots\dots\dots 8. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Anderson, Baldwin, Breckinridge, Brown, Clinton, Cocke, Ellery, T. Foster, Franklin, Jackson, Logan, S. T. Mason, Nicholas, Sumpter, and Wright.

Those who voted in the negative, are,

Messrs. Dwight Foster, Howard, Morris, Olcott, Ogden, Stone, Tracy, and Wells.

So the question was lost, two-thirds of the Senators present not concurring therein.

*Ordered,* That the Secretary acquaint the House of Representatives therewith.

Mr. Ellery reported, from the committee, that they had examined, and found duly enrolled, the bill, entitled "An act for the relief of Fulwar Skipwith."

On motion, that the petition of David Brown be postponed until next session of Congress.

It passed in the affirmative.

On motion, that it be

*Resolved,* That the President of the United States be requested to cause to be laid before this House at the next meeting of Congress authenticated copies of the proceedings in the courts of the United States, in all cases in which fines and imprisonments have been inflicted upon the individuals under the act commonly called the sedition act; and, also, in all cases, if any such there be, in which fine and imprisonment have been inflicted upon individuals in the said courts, under the common law of England:

It passed in the negative.

Mr. Tracy presented the memorial of David Austin, "praying legislative attention to the order of Providence in the affairs of the nation;" and the memorial was read.

On motion,

The Senate adjourned to half past seven o'clock this evening.

#### MONDAY EVENING, *half past seven o'clock.*

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed two



enrolled bills, I am directed to bring them to the Senate for the signature of the President. The House of Representatives have appointed a committee on their part, with such as the Senate may appoint, to wait on the President of the United States, and notify him, that, unless he hath any further communications to make to the two Houses of Congress, they are ready to adjourn, and they desire the appointment of a committee on the part of the Senate. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate took into consideration the resolution of the House of Representatives appointing a committee, jointly, with such as the Senate may appoint, to wait on the President of the United States and notify him of the proposed adjournment of the two Houses of Congress; and

*Resolved*, That they do concur therein, and that Messrs, Ellery and Clinton be the committee on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives accordingly.

Mr. Wright, from the committee, reported that they had laid before the President of the United States the two enrolled bills last reported to have been examined.

Mr. Ellery, from the joint committee reported that they had waited on the President of the United States, agreeably to the vote of the two Houses, and that he informed them he had no further business to communicate.

On motion,

*Ordered*, That the Secretary notify to the House of Representatives that the Senate, having completed the business of the session, are ready to adjourn.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States this day approved and signed "An act to incorporate the inhabitants of the city of Washington, in the District of Columbia;" "An act further to alter and establish certain post roads, and for the more secure carriage of the mail of the United States;" "An act to amend an act, entitled 'An act for the relief of sick and disabled seamen, and for other purposes;'" "An act making an appropriation for carrying into effect the convention between the United States of America and his Britannic Majesty;" "An act for the relief of Fulwar Skipwith;" and "An act additional to, and amendatory of, an act, entitled 'An act concerning the District of Columbia.'" I am also directed to notify the Senate, that the House of Representatives, having completed the business before them, are about to adjourn. And he withdrew.

Whereupon,

The Senate adjourned to the first Monday in December next.



## APPENDIX.

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### *Titles of the Acts passed at the First Session of the Seventh Congress.*

- An act extending the privilege of franking and receiving letters free of postage to any person admitted, or to be admitted, to take a seat in Congress as a delegate, and providing compensation for such delegate.
- An act concerning the library for both Houses of Congress.
- An act for the apportionment of representatives among the several states according to the second enumeration.
- An act for the protection of the commerce and seamen of the United States against the Tripolitan cruisers.
- An act to authorize an advance of money to Samuel Dexter.
- An act for the relief of Lyon Lehman.
- An act authorizing the discharge of Lawrence Erb from his confinement.
- An act making certain partial appropriations for the year one thousand eight hundred and two.
- An act to amend an act, entitled "An act to lay and collect a direct tax within the United States."
- An act for the relief of Francis Duchoquet.
- An act fixing the military peace establishment of the United States.
- An act to repeal certain acts respecting the organization of the courts of the United States; and for other purposes.
- An act to authorize the President of the United States to convey certain parcels of land therein mentioned.
- An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.
- An act making appropriation for defraying the expense of a negotiation with the British government, to ascertain the boundary line between the United States and Upper Canada.
- An act for the accommodation of persons concerned in certain fisheries therein mentioned.
- An act authorizing the erection of certain light-houses, and for other purposes.
- An act to repeal the internal taxes.
- An act making a partial appropriation for the support of government during the year one thousand eight hundred and two.
- An act for the relief of Isaac Zane.
- An act for the relief of the marshals of certain districts therein mentioned.
- An act to establish a uniform rule of naturalization, and to repeal the acts heretofore passed on that subject.
- An act making an appropriation for defraying the expenses which may arise from carrying into effect the convention made between the United States and the French Republic.
- An act to revive and continue in force an act, entitled "An act to augment the salaries of the officers therein mentioned," passed the second day of March, one thousand seven hundred and ninety-nine.
- An act to amend an act, entitled "An act to retain a further sum on drawbacks, for expenses incident to the allowance and payment thereof, and in lieu of stamp duties on debentures."
- An act declaring the assent of Congress to an act of the general assembly of Virginia therein mentioned.
- An act for the relief of Thomas K. Jones.
- An act for the relief of Paolo Paoly.
- An act for the relief of Lewis Tousard.



- An act in addition to an act, entitled "An act in addition to an act regulating the grants of land appropriated for military services, and for the Society of the United Brethren for propagating the Gospel among the Heathen."
- An act making provision for the redemption of the whole of the public debt of the United States.
- An act to amend the judicial system of the United States.
- An act to regulate and fix the compensations of the officers of the Senate and House of Representatives
- An act for the relief of Theodosius Fowler.
- An act for the relief of the widows and orphans of certain persons who have died in the naval service of the United States.
- An act supplementary to an act, entitled "An act for the encouragement of learning, by securing the copies of maps, charts, and books, to the authors and proprietors of such copies, during the time therein mentioned," and extending the benefits thereof to the arts of designing, engraving, and etching historical and other prints.
- An act to revive and continue in force an act, entitled "An act for establishing trading houses with the Indian tribes."
- An act to suspend in part the act, entitled "An act regulating foreign coins, and for other purposes."
- An act to amend "An act to establish the compensations of the officers employed in the collection of the duties on imports and tonnage, and for other purposes."
- An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes.
- An act to provide for the establishment of certain districts, and therein to amend an act, entitled "An act to regulate the collection of duties on imports and tonnage, and for other purposes."
- An act making appropriations for the military establishment of the United States in the year one thousand eight hundred and two.
- An act making an appropriation for the support of the navy of the United States for the year one thousand eight hundred and two.
- An act to abolish the Board of Commissioners in the City of Washington, and for other purposes.
- An act making appropriations for the support of government for the year one thousand eight hundred and two.
- An act to extend and continue in force the provisions of an act, entitled "An act giving a right of pre-emption to certain persons who have contracted with John Cleves Symmes or his associates, for lands lying between the Miami rivers in the territory northwest of the Ohio, and for other purposes."
- An act to empower John James Dufour and his associates to purchase certain lands.
- An act to incorporate the inhabitants of the City of Washington, in the District of Columbia.
- An act further to alter and establish certain post roads, and for the more secure carriage of the mail of the United States.
- An act to amend an act, entitled "An act for the relief of sick and disabled seamen, and for other purposes."
- An act making an appropriation for carrying into effect the convention between the United States of America and his Britannic majesty.
- An act for the relief of Fulwar Skipwith.
- An act additional to, and amendatory of, an act, entitled "An act concerning the District of Columbia."



*Senators of the United States whose seats will be vacated:*

| MARCH, 1803.  | MARCH, 1805.  | MARCH, 1807.  |
|---|---|---|
| Mr. Anderson,<br>Chipman,<br>T. Foster,<br>Hillhouse,<br>Howard,<br>S. T. Mason,<br>J. Mason,<br>Morris,<br>Ogden,<br>Ross,<br>White. | Mr. Baldwin,<br>Brown,<br>Cocke,<br>Dayton,<br>Ellery,<br>Dwight Foster,<br>Franklin,<br>Nicholas,<br>Olcott,<br>Sumpter,<br>Wells. | Mr. Breckinridge,<br>Bradley,<br>Colhoun,<br>Clinton,<br>Jackson,<br>Logan,<br>Sheafe,<br>Stone,<br>Tracy,<br>Wright. |